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Plan for Identifying and Recommending Options for Implementing the Integrated Computer System for the State Court System

TRW Report Number 2009-001

March 2, 2010

Prepared for
The Florida Senate
The Florida House of Representatives

Prepared by
Technology Review Workgroup

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Acronyms

BOMS	Business Office Management System
BPR	Business Process Reengineering
CCIS	Comprehensive Case Information System
CCMS	Comprehensive Case Management System
CJIS	Criminal Justice Information Systems
CJJIS	Criminal and Juvenile Justice Information Systems
CJNet	Criminal Justice Network
CM/ECF	Case Management/Electronic Case Files System
DAVID	Driver and Vehicle Information Database
F.S.	Florida Statutes
FACC	Florida Association of Court Clerks and Comptroller
FCTC	Florida Court Technology Commission
FDLE	Florida Department of Law Enforcement
GAL	Guardian Ad Litem
GJXDM	Global Justice XML Data Model
IEPD	Information Exchange Package Documentation
JIS	Judicial Inquiry System
NCSC	National Center for State Courts
NIEM	National Information Exchange Model
OPPAGA	Office of Program Policy Analysis and Accountability
OSCA	Office of State Court Administrators
PACER	Public Access Court Electronic Records
RFID	Radio-frequency identification
RJA	Rules of Judicial Administration
SPIRIT/TIS	Simultaneous Paperless Image Retrieval Information Technology/Traffic Information System
SRS	Summary Reporting System
TRW	Technology Review Workgroup
XML	Extensible Markup Language

Acknowledgements

The Technology Review Workgroup (TRW) would like to extend its appreciation and thanks for the excellent cooperation and insights provided by the judges, clerks, state attorneys, public defenders, guardians ad litem, and criminal conflict and regional civil counsels. In particular, we would like to acknowledge the significant assistance provided by the Office of State Court Administrators (OSCA), Florida Association of Court Clerks and Comptroller (FACC), Florida Prosecuting Attorneys Association, Florida Public Defenders Association, the statewide Guardian Ad Litem, and the Florida Association of Counties in providing contact information for the court system principals, and follow-up to ensure participation in the survey data collection effort.

We would like to acknowledge the involvement and valuable input provided from the Florida Court Technology Commission (FCTC), whose systematic re-examination of the court's business functions should be very useful in identifying and planning the next steps to achieve the integrated computer system for the state courts.

We would also like to thank the elected officials and staffs of the 11 judicial circuits and 14 counties that we visited for their significant time and willingness to share their expertise and observations about what is working and their thoughts related to resolving what is not working. In particular, we would like to thank the following counties and judicial circuits for their assistance:

TABLE 1: TRW Site Visits

County	Circuit	Interviews
Escambia	1	**Clerk** Ernie Magaha (Lisa Bernau & Lendy Davis) **Chief Judge** Terry D. Terrell and Judge Paul Rasmussen & staff Special thanks to Robin Wright
Walton	1	**Clerk** Martha Ingle **Judge** Kelvin Wells & staff
Leon	2	**Clerk** Bob Inzer & staff **Chief Judge** Charles A. Francis & staff **Public Defender** Nancy A. Daniels & staff **Conflict Counsel** Jeffery Lewis & staff
Wakulla	2	**Clerk** Brent Thurmond
Duval	4	**Clerk** Jim Fuller (Mike Smith and Sheri Ouellette & staff) **Chief Judge** Donald R. Moran, Jr. (Jeff Sourbeer & staff)
Pinellas	6	**Clerk** Ken Burke & staff **Chief Judge** J. Thomas McGrady & staff **Public Defender** Bob H. Dillinger **Guardian Ad Litem** Donna Rasmussen & Kelly Rossi
Alachua	8	**Chief Judge** Martha Ann Lott (Ted McFetridge & Fred Buhl) **State Attorney** William Cervone & staff **Public Defender** C. Richard Parker & staff
Union	8	**Clerk** Regina Parrish & Kim Riggs
Orange	9	**Clerk** Lydia Gardner & staff **Chief Judge** Belvin Perry, Jr. & staff **Circuit Judge** Lisa Taylor Munyon **Public Defender** Robert Wesley (John Stone)

TABLE 1: TRW Site Visits		
County	**Circuit**	**Interviews**
Polk	10	**Clerk** Richard Weiss & staff **Chief Judge** J. David Langford & staff
Dade Dade	11 11	**Clerk** Harvey Ruvin & staff **Chief Judge** Joel H. Brown & staff **Circuit Judges** Judith Kreeger, Israel Reyes **Public Defender** Carlos J. Martinez & staff **Guardian Ad Litem** Sonia Ferrer & Denise Zulueta
Sarasota	12	**Chief Judge** Lee E. Haworth & staff Remote Conference Call – Status Report: 12th Circuit Electronic Filing and Access Pilot Projects; See Appendix E
Hillsborough	13	**Chief Judge** Manuel Menendez, Jr. **Judge** Steven Stephens **State Attorney** Mark Ober & staff **Public Defender** Julianne Holt & staff **Guardian Ad Litem** Charles Nelson
Bay	14	**Clerk** Bill Kinsaul & staff **Chief Judge** Hentz McClellan (Jan Shadburn & staff) **State Attorney** Glenn Hess (Ben Lee)
Broward	17	**Clerk** Howard Forman (Barry Lasher & staff) **Chief Judge** Victor Tobin & staff

Finally, we would like to acknowledge the previous work undertaken by the Florida Senate,[1] the Article V Technology Board,[2] and most recently the Office of Program Policy Analysis and Accountability (OPPAGA). In particular, the Senate's recommendations regarding establishment of circuit and state level governance structures remain relevant and critical to the implementation of the integrated computer system for the state court system. The Article V Technology Board recommendations related to establishment of a common catalog of data elements, a uniform identifier, and data sharing using national standards such as Global Justice XML, are enabling the data sharing at the state and local levels using tools such as the Judicial Inquiry System (JIS) and the Comprehensive Case Information System (CCIS). The state should continue to leverage the insights and contributions of these entities when developing its roadmap for the integrated computer system.

[1] **Implementation of an Integrated Computer System for the State Court System,** Report Number 2004-104, Committee on Appropriations prepared for the Florida Senate, December 2003.
[2] **January 15 2006 Report**, Article V Technology Board, January 15, 2006.

Executive Summary

The Florida Constitution requires the state to pay for all costs associated with the state court system, except for certain services, which remain county funding responsibilities. One such service includes court-related computer systems and equipment, maintenance, support staff and services necessary for the integrated computer system, established in s. 29.008(1)(f)(2), F.S. While this law required the integrated computer system for the state courts to be operational by January 1, 2006, no such system currently exists. Instead, judicial circuits and counties have fielded hundreds of systems to serve one or several of the functions identified in the law.

The 2009 Legislature passed CS/SB 1718, which required the Technology Review Workgroup (TRW) to identify options and approaches for implementing the integrated computer system called for in s. 29.008(1)(f)(2), F.S. After extensive research and information gathering, the TRW found (in summary):

1. The current law does not adequately define the scope, functionality, and main business objectives of the integrated computer system. Without a clear definition of the business and/or technology problems to be solved and the functionality needed, a system cannot be designed or implemented.
2. The state court system does not have a comprehensive plan for developing and implementing the integrated court system. Without such a clear and specific plan of action that has been agreed to by the state court system stakeholders and Legislature, there is no road map for implementing the system in all court divisions over a specific and reasonable time frame.
3. No permanent statewide or circuit-level governance structure has been established to plan, implement, and operate the integrated computer system. Without a formally chartered group of stakeholders authorized to make decisions regarding the system, no entity can be held accountable for implementing (or not implementing) the system. A governance structure is needed to:
    a. Establish standards for court-related business processes that need to be standardized statewide and automated in the integrated computer system.
    b. Develop a strategic plan for implementing the integrated computer system.
    c. Designate statewide systems of record for specific court functions in each court division, e.g., electronic filing, case management, case scheduling.
    d. Identify systems that should be decommissioned because they duplicate or hinder the efficient implementation of the integrated computer system.
    e. Manage the operation of the integrated computer system, prioritizing and approving proposals for major system enhancements and modifications.
4. No dedicated funding source has been identified for the integrated computer system. Without a clearly identified funding source, the currently authorized funds in s. 28.24(12)(e), F.S., are being used to pay for operations and maintenance of current systems. There is no current governance or decision-making mechanism to authorize the use of any portion of these funds to plan and implement the integrated computer system.

To address these findings, three options for implementing the integrated computer system were assessed as a part of this study. The options include: (1) statewide data sharing (modification of

status quo); (2) integrated computer system made up of multiple systems of record; and (3) a single integrated computer system.

Specific recommendations were developed to address the major findings. The work associated with the recommendations depends on the option, or combination of options, potentially selected by the Legislature for implementing the integrated computer system. The recommendations are summarized below and include:

1) Developing changes in statute required to clearly establish the integrated computer system, including:
    a. Defining the main business objectives, specific scope and functionality to be provided.
    b. Identifying permanent state- and circuit-level governance structure responsible for making decisions on the integrated computer system.
    c. Identifying the official systems of record that will comprise the integrated computer system, including definition of usage and compliance requirements, and an accountable management structure and processes.
    d. Analyzing potential options for establishing a funding source dedicated to the integrated computer system.
2) Requiring the state court system to develop a strategic plan sufficient to implement the integrated computer system in all divisions of the state court system.
3) Requiring the judiciary and the clerks to jointly develop agreed to definitions of the case management and case maintenance functions and responsibilities performed by their respective organizations for legislative review and, if approved, inclusion in statute.
4) Defining uniform business process standards and functional requirements specifications needed to implement and operate the integrated computer system.

A recommendation requiring the Criminal and Juvenile Justice Information Systems Council (established in s. 943.06, F.S.) to analyze and provide recommendations for establishing a uniform statute table also is provided. The recommendation is based upon the substantial feedback that was received describing business problems related to the statewide table not having sufficient detail to meet the business requirements of state attorneys, public defenders, sheriffs, clerks, and, to a lesser degree, the judiciary.

Detailed discussion of the implementation options and specific recommendations begins on pages 46 and 55, respectively.

Introduction

The 2009 Legislature passed CS/SB 1718 (Chapter 2009-61, Laws of Florida) relating to the state judicial system. Section 19 of this legislation authorized work to be completed by OPPAGA and the TRW.

Specific to the TRW portion of Section 19, the legislation requires the TRW to develop a proposed plan for identifying and recommending options for implementing the integrated computer system established in s. 29.008(1)(f)2., F.S. The plan shall describe approaches and processes for:

- evaluating the existing computer systems and data-sharing networks of the state courts system and the clerks of the courts
- identifying the required business and technical requirements
- estimating the cost, work, and change requirements
- examining the use of the funds collected under s. 28.24(12)(e), F.S.

The plan may also address any necessary policy, operational, fiscal, or technical changes, including but not limited to, potential changes to the distribution and use of funds collected under s. 28.24(12)(e), F.S., that may be needed to implement, manage, and operate the integrated computer system. The plan must be submitted to the President of the Senate and the Speaker of the House of Representatives no later than February 1, 2010.

Background

The 1998 Revision 7 to Article V of the Florida Constitution, required the state to pay for all costs associated with the state court system, except for certain enumerated county obligations. Included in this list of county funding obligations is the cost of **communications services**.

The Legislature subsequently adopted implementing legislation that defined the elements of the state court system[3] and the responsibilities of the state and counties (Chapter 2000-237, Laws of Florida). This legislation also clarified the term "communications services" **to include all computer systems and equipment, maintenance, support staff and services necessary for the integrated computer system.** Section 29.008(1)(f)2., F.S., states that the **integrated computer system** is to support the operations and management of the state court system, including the clerks of court, and to allow the reporting of data to the state needed for transmission of revenue, performance accountability, case management, data collection, budgeting, and auditing. This section was further amended in Chapter 2003-402, Laws of Florida, which required the **integrated computer system** to enable the electronic exchange of case information, sentencing guidelines and scoresheets, and video evidence stored in integrated case-management systems over secure networks. The legislation also required the **integrated computer system to be operational by January 1, 2006**.

[3] Section 29.001, F.S., defines the state court system to include the Supreme Court, district courts of appeal, circuit courts, county courts, public defenders, state attorneys, criminal and civil regional counsel, and court-appointed counsel.

During the 2003-04 interim, the Florida Senate undertook a study, which concluded that **s. 29.008(1)(f)2., F.S., needed to be amended to clarify the state's requirements for the integrated computer system.** The study also called for mechanisms to establish standards, procedures, and governance for statewide and intra- and inter-circuit information technology (IT) system integration.

The 2004 Legislature established the Article V Technology Board in s. 29.0086, F.S. This body was to identify information standards and protocols for data integration, and the minimum data elements and functional requirements needed by each of the state court system entities (including clerks of court) to conduct court-related business. It also was to propose alternative models for the integrated computer system. The information resulted in draft legislation (HB 7235), which passed the House but died in the Senate. The Article V Technology Board was discontinued after July 1, 2006.

The 2004 Legislature also passed Chapter 2004-265, Laws of Florida, which authorized an additional service charge of **$4 to be used exclusively to fund court-related technology as defined in s. 29.008(1)(f)2., F.S.** These funds are divided as follows:

- $0.10 for the FACC to fund the development, implementation, operation, and maintenance of the statewide CCIS.
- $1.90 for the clerks to use exclusively for funding court-related technology needs of the clerk.
- $2.00 for the board of county commissioners to use exclusively to fund court-related technology for the state trial courts, state attorney, public defender, and criminal conflict and civil regional counsel in that county.

The law further clarifies that for the costs of the clerk's court-related technology needs as defined in s. 29.008(1)(f)(2), F.S., and notwithstanding any other provision of law, the county is not required to provide additional funding beyond the $1.90. Similar language is not included for the state trial courts, state attorneys, public defenders, and the criminal conflict and civil regional counsels in the county.

Methodology

To develop the plan required in Section 19 of Chapter 2009-61, Laws of Florida, (CS/SB1718) the TRW used a number of research and data gathering techniques to understand the current and planned computer and data sharing systems that support the circuit and county courts, public defenders, state attorneys, guardians ad litem, criminal conflict and civil regional counsels, and clerks of court.

Court system stakeholders include judges, public defenders, state attorneys, guardians ad litem, criminal conflict and civil regional counsels, and clerks of court. The following stakeholder groups were not included in the scope of the analysis: District Court of Appeals, Judicial Administration Commission, private attorneys, The Florida Bar, law enforcement entities, other state agencies, official records companies, and Capital Collateral Regional Councils. These entities were not included because they are not specifically identified in section 29.008, F.S., as stakeholders that must be supported by the integrated computer system; however, these

stakeholders ultimately will need to be involved in the implementation efforts associated with the integrated computer system for the courts.

The research started with a comprehensive review of the statutes and other applicable documents, reports and work products relating to the integrated computer system, including but was not limited to reports and work products of the Article V Technology Board, the Supreme Court, and the Auditor General and the OPPAGA. It continued with a review of 14 other states selected from the National Center for State Courts (NCSC) website to get a picture of the type of court-related systems that have been deployed in other states. A review of court technology innovations was performed to identify and evaluate the information systems currently available to automate and support court-related business processes.

The TRW developed four types of survey instruments:

- **Principal's Survey** – sent to the chief judges, state attorneys, public defenders, and clerks of the court asking four basic questions concerning decision-making processes, integration needs, and any other major challenges relating to their court-related application systems.
- **Court System User Survey** - intended to capture a baseline of the systems currently in production; identify the revenue sources used to implement, operate, and maintain the current systems; and describe the governance processes that are used to prioritize and make decisions regarding needed changes to the systems.
- **Provider Survey** – sent to OSCA, FACC, and the statewide Guardian Ad Litem as providers of one or more IT systems that support court-related business functions. This survey collected information that corresponded with the Court System User Survey.
- **County Fiscal Survey** – sent to county administrators/ county commission chairs to better understand the allocation method of the $2 portion of the $4 service charge established in s. 28.24(12)(e), F.S., which is distributed to the Boards of County Commissions.

This study has produced an extensive statewide database[4] of application systems that identifies costs, uses, and functionality for the state court system. Analysis of the information in this database was focused on obtaining the information necessary to complete the study specified in CS/SB 1718. However, members of the state court system also may want to consider updating this database on an annual basis to ensure it remains current and accurate for use in establishing and implementing the integrated computer system established in s. 29.008(1)(f)(2), F.S.

Field visits were conducted in 14 counties and 11 judicial circuits to interview a total of 37 clerks of court, chief circuit judges, state attorneys, public defenders, guardians ad litem, and criminal conflict and civil regional counsels and their staffs.[5] The purpose of this field work was to validate the information reported in the surveys, including current levels of system integration and any business process impacts due to the lack of integration. TRW also observed limited demonstrations of select county- and circuit-level systems and processes used to support court-

[4] The survey responses are published on the TRW website at http://trw.state.fl.us/

[5] TRW also met via conference call with the chief judge and trial court staff from the 12th Circuit to discuss the November 30, 2009, status report on e-filing and access that the chief judge had prepared and provided to the chair of the FCTC.

related business functions (manual or automated). The following table indicates the number and percentage of judicial circuits and counties included in the field work:

TABLE 2: Site Visits by County Size			
County size	**# Counties**	**Field Visits**	**% Visited**
Less than 100,000	33	3	9%
100,000 - 499,999	23	4	17%
500,000 – 999,999	6	3	50%
1 million or more	5	4	80%
Total	67	14	21%

TABLE 3: Site Visits by Circuit Size				
Circuit size		**# Circuits**	**Field Visits**	**% Visited**
Small	<500,000	5	4	80%
Medium	500,000 - 1.2M	9	2	22%
Large	>1.2M	6	5	83%
	Total	20	11	55%

As required in Section 19 of Chapter 2009-61, Laws of Florida, OPPAGA conducted a study[6] focused on: (a) examining who is performing each court-related function, (b) identifying how each court-related function is funded, (c) identifying how efficiently these court-related functions are performed, and (d) determining future "to-be" court-related functions and responsibilities. Here is a summary of some of the IT-related observations:

- While there is little duplication in the functions performed by the two groups, limited coordination in critical areas such as court technology and standards of service impair the efficiency of the overall state courts system.
- Both court officials and clerks indicated that there is frequently insufficient coordination in dealing with technology issues. Clerks asserted that judges should rely less on paper files and embrace technology, while court administrators reported that clerks should design their computer systems to provide the data elements and functionality that the judiciary needs.
- The judiciary and the clerks should work to standardize the content and format of summary caseload reports provided to judges using clerk information systems. This would allow all chief judges to obtain consistent case reports for all circuits and avoid the need to cross-train judges who serve in multiple counties.

[6] **Little Duplication in Court-Related Services; Clerk/Court Cooperation Should Be Improved;** OPPAGA Report No. 10-11, January 2010

Court Systems in Other States

The NCSC is an independent, nonprofit organization, which serves as a clearinghouse for research information and comparative data to support improvement in judicial administration in state courts. The TRW reviewed the NCSC website and found a listing of states that indicated some type of court or justice information system. The NCSC stated the purpose of these systems usually was to eliminate repetitive procedures by combining case docketing or processing, calendaring, scheduling, and noticing; statistical and managerial reporting; and financial processes into one system. The TRW utilized the NCSC's listing of states to complete further review on 14 states. *(See attached chart in Appendix A).*

Each state was reviewed and analyzed on five different dimensions:

- Name and description of system
- Authorized system users
- Governance structure
- Authority for establishing system
- Elected or appointed clerk

Due to time constraints, the TRW's research on these 14 states was limited to information that was readily available on the Internet. Subsequent research and data collection techniques can be pursued if the Legislature so directs.

Of the 14 states reviewed and analyzed, no state had a system comparable to the integrated computer system and its functionality as established in s. 29.008(1)(f)2., F.S. Specifically while several systems have the case management and case disposition data, judicial case background data, and revenue data, no system included this data along with performance accountability data, auditing data, and operations and management information as required by s. 29.009(1)(f)2., F.S. Instead the majority of states have an integrated criminal justice information system with similar users, governance structure, and stakeholders as the Florida Criminal and Juvenile Justice Information Systems (CJJIS) Council established in ss. 943.06 and 943.08, F.S.

In addition to an integrated criminal justice information system, a small number of states (Alabama, Arkansas, Colorado, Pennsylvania, and Utah) have developed or are in the process of developing a statewide system that provides access to trial court case records and docket calendars and includes an attorney search and calendaring function. Of these states, Alabama's and Colorado's systems include a fee-based subscription service for system use by certain outside entities, i.e., private attorneys, background-checking organizations, etc.

California is involved in a multi-year project to develop a uniform, integrated case management system (California Court Case Management System) that will allow the trial courts to manage all case types with a single application. The original system integrator was replaced with another vendor in 2006. In October 2009 it was reported that the total cost estimates for California Court Case Management System are approaching $2 billion, while the system is years away from large-scale implementation. There are only six courts currently running early versions of California Court Case Management System and are spending approximately $36 million in local funds to operate. The ultimate prognosis for the project remains unclear.

After a 10-month procurement process, Indiana's Supreme Court contracted with a commercial software vendor to provide a connected, statewide case management system for all Indiana courts and clerks. The system is anticipated to include fully integrated case and financial management functionality that also will interface with certain state agencies, e.g., driver license information from the Indiana Department of Motor Vehicles.

Oregon is undertaking a project called eCourt Program, which is expected to take 10 years to fully develop and implement. Oregon's eCourt Program is not intended to replace the state's physical courts but will provide a convenient alternative to increase public access by keeping doors open 24/7. The planned scope of the eCourt Program includes the following components:

- Appellate eCourt
- Infrastructure
- Enterprise Content Management
- Web Portal
- Case Management System
- Financial Management System
- Integration Backbone
- Decision & Program Support
- Office of the State Court Administrator

TABLE 4: Summary of Selected Systems in 14 Other States

State	Integrated System	Scope	Governance
Alabama Elected Clerk	Alacourt.com www.judicial.state.fl.us Statewide Judicial Information System (SJIS)	Provides access to court data for all of Alabama's 67 counties Supports collection, storage, retrieval, analysis, and dissemination of all crime and offender data	No specific statute or administrative rule Passed legislation creating the Alabama Criminal Justice Information Center Commission
Arkansas Elected Clerk	Integrated Justice Information System www.ijis.state.ar.us	Allows law enforcement, correction facilities, and court-related stakeholders to electronically share data, eliminate duplicate data entry and delays in providing criminal justice data	Passed legislation creating Integrated Justice Information Coordinating Council and elements of the integrated system
California Appointed Clerk	California Court Case Management System www.courtinfo.ca.gov	Comprehensive case management/ tracking system. **NOTE: In Oct 2009, it was reported that total costs for California Court Case Management System were approaching $2B and large-scale implementation is years away.**	Three structural levels: a. oversight committee (judges & court regional directors) b. steering committee (court executive officers) c. project managers
Colorado Appointed Clerk	Integrated Criminal Justice System www. colorado.gov/cicjis Integrated Colorado Online Network (ICON) www.cocourtdata.com	Links state-level criminal justice agencies to create one information system to track a case from arrest and prosecution through adjudication and incarceration Provides fee-based access to trial court case documents and files through contract with vendor	Requires Executive Board to review/approve any state IT expenditures in support of criminal justice applications Passed legislation to define ICON as judicial case management system but no governing board
Connecticut Appointed	Criminal Justice Information System www.ct.gov/opm/cwp	Will include a central tracking and information database, a central document repository, and centralized analytic tools	Passed legislation to create Criminal Justice Information Systems Governing Board

TABLE 4: Summary of Selected Systems in 14 Other States			
State	**Integrated System**	**Scope**	**Governance**
Illinois Elected Clerk	Integrated Justice Information System www.icjia.state.il.us/iijis	Facilitates the electronic sharing of justice information	Executive order establishes Illinois Integrated Justice System Implementation Board
Indiana Elected Clerk	Case Management System www.in.gov/judiciary/jtac/cms	Supreme Court contracted with vendor to provide a statewide case management system	Judicial Technology and Automation Committee
Louisiana Elected Clerk	Criminal Justice Data Systems www.cole.state.la.us	Integrates several state criminal justice and case information management systems	Passed legislation creating the Integrated Criminal Justice Information System Policy Board
Montana Elected Clerk	Justice Information Systems Project www.doj.mt.gov	Designed to create the exchanges that will allow a wide range of agencies to share real-time information	Executive sponsors include Supreme Court, State CIO, and Departments of Justice and Corrections
Oregon Appointed Clerk	eCourt http://courts.oregon.gov/oregonecourt	10-year project designed to establish virtual court; first state to implement	No legislation passed; executive sponsor is Oregon courts
Pennsylvania Elected Clerk	Unified Judicial Web Portal www.courts.state.pa.us PA Justice Network (JNET) www.pajnet.state.pa.us	Provides electronic access to such court information as docket sheets, warrants, calendars, and link to district attorney secure web service State's primary public safety and criminal just information system	No specific legislation passed; executive sponsor is PA state courts system No specific legislation passed; executive sponsor is Governor's Office of Administration
Texas Elected Clerk	Integrated Justice Information Systems www.tijis.org	Initiative to integrate the state's justice information systems	No specific legislation passed.
Utah Elected	Xchange Case Lookup www.utcourts.gov	Fee-based subscription service that provides access to district court case information	No specific legislation; executive sponsor is Utah state courts
Washington Elected Clerk	Justice Information Network www.jin.wa.gov	Integrated network of criminal justice information	Legislation passed creating Integrated Justice Information Board

Federal Court Systems

The federal court system has a Case Management/Electronic Case Files System (CM/ECF). This system provides courts enhanced and updated docket management, allows courts to maintain case documents in electronic format, and provides each court the option of permitting case documents (pleadings, motions, petitions) to be filed with the court over the Internet. CM/ECF also provides the courts the ability to make their documents available to the public over the Internet. Electronic access to court data is available through the Public Access Court Electronic Records (PACER) program. Litigants receive one free copy of documents filed electronically in their cases and additional copies are available for a charge to attorneys and the general public.

The federal Supreme Court has the Court Electronic Docket system, which is its case tracking system. It contains information about pending and decided cases for both the current term and the prior term.

TABLE 5: Federal Court System Summary

State	Integrated System	Scope	Governance
Federal Government	Case Management / Electronic Case Files (CM/ECF) www.uscourts.gov/cmecf	Federal Courts' case management and electronic case files system allows courts to maintain case documents in electronic format and permits case documents (pleadings, motions, petitions) to be filed with the court over the Internet. Began in 2001 in Federal Bankruptcy Court and then deployed to district courts in 2002 and appellate courts in late 2004. The CM/ECF system uses standard computer hardware and an Internet connection and a browser, and accepts PDF documents. After logging onto the court's website with a court-issued password, the filer enters basic information relating to the case and document being filed, attaches the document over the Internet. A notice verifying court receipt of the filing is generated automatically and emailed to the parties in the case. CM/ECF also enables court documents to be available through the Public Access to Court Electronic Records (PACER) program at www.pacer.psc.uscourts.gov. Litigants receive one free copy of documents filed electronically in their cases, which they can save or print for their files. Additional copies are available to attorneys and the general public for viewing or downloading at $0.08 per page, with a maximum cost per document of $2.40.	Integrated Justice Information Board – 18 member board comprised of state and local criminal justice agencies, courts, clerks, and applicable state agencies. (Similar in composition to Florida's CJJIS Council.) Amendments to the Federal Appellate, Bankruptcy, Civil, and Criminal Rules of Procedure address issues relating to privacy and public access to electronic case files. At login to CM/ECF, a message reminds attorneys of their responsibility to redact private information from documents they file, and the most recent versions of this reminder also requires attorneys to acknowledge that they have read the notice and complied with the redaction rules.
	Supreme Court Electronic Docket www.supremecourtus.gov/docket	The Supreme Court's automated docket system is a case tracking system that contains information about the status of cases, both pending and decided from the current term and the prior term. Users can search for cases by using a Supreme Court docket number, a lower court docket number, or a case name.	U.S. Supreme Court but cannot find anything specific to a formalized governance structure.

Court-related Technology Innovations

Historically, technology has been used in the courts to alleviate the paper-intensive nature of court operations and to improve case workflow. Proprietary solutions and long-standing paper-intensive business processes are being replaced with open (de jure) Internet standards, web-enabled applications, and improved business processes that no longer depend on paper or physical files. The current state of court technology enables innovative uses of the Internet to further enhance court operations, allowing for more sophisticated electronic filing, easier access to court data, and rapid data sharing among justice partners. Videoconferencing for first appearances and remote testimony has been widely used for over a decade. Other modern practices such as live streaming of courtroom procedures are less widespread but may become more commonplace as these technologies become more affordable and pervasive in everyday life. This section describes some of the technology advances that have improved court operations.

Courts on the Web

This section discusses the innovative ways that the courts are using the Internet to enhance their operations.

The Movement towards Full-Service Internet Portals

Courts continue to improve services to further minimize or eliminate personal appearances at the courthouse by expanding online service delivery.

1. A common Internet service is providing court-related forms online for the public to download, print, and submit the hardcopy. Technology is shifting from providing these downloadable forms for printing/mailing to allowing the user to either enter and submit information online or upload a scanned form.

2. Online Data Access – Many court entities provide a searchable database of court cases and case data. Access to this information, however, varies based on the policies of each jurisdiction and may be based on the type of user. For example, public access may be limited to basic case data, which may be restricted to view only or may allow printing. Images may not be available online or may be limited to viewing only, without printing capability. Enhanced access may be provided for a fee. Many states and counties charge either a pay-per-search fee or a subscription service to access the database.

Social Networking

While government in general has been slow to join the rise of online social networking via websites such as Facebook and Twitter, many courts maintain an online presence on these sites for providing information and to increase public awareness of their services.

Document Management

Document management is the managing of paper documents and providing access to hardcopy and electronic data/documents. While some courts are still working to scan paper documents, others are moving towards online data entry and allowing electronic filing (e-filing) of documents.

1. E-Filing – electronic filing of court documents instead of submitting hardcopies, which can simplify the court document filing process by enabling legal professionals to file court documents, pay court fees, and receive confirmation from their computers.
    a. Fourteen states use a statewide e-filing system; Colorado was the first state in 2001. Many states have codified rules and standards for e-filing and some states

require e-filing for certain case types but make it optional for others. While some states charge fees for e-filing, others use a vendor fee model where public-private partnerships are established and revenues are shared between the vendor and the court.

b. Ninety-nine percent of the federal judiciary has standardized e-filing through the use of a single system across all of its courts, the Case Management/Electronic Case Files System *(see Federal Court Systems on page 12 for more information)*.
c. Several vendors specialize in e-filing, providing systems for courts to purchase, as well as offering e-filing services as a third-party administrator for courts and law firms. In general, materials are uploaded to a third-party who may file electronically where available or print the materials to deliver to the courthouse.

2. File Tracking with RFID (radio-frequency identification) – an electronic identification system that uses RFID. Typically, electromagnetic tags are applied to a file and then broadcast information about the file such as location and status.
3. E-Citation Systems – produces tickets electronically at the time of the infraction. A copy is printed for the driver and the data is electronically submitted to the appropriate clerk and court agencies for handling; it requires no paper to process the ticket. Drivers usually have the option to pay the ticket online, by mail, or in person.

High-Tech Courtrooms

High-tech courtrooms refer to providing Internet access to courthouse users and using technology to improve the quality and effectiveness of court proceedings. The following are examples of technology in high-tech courtrooms.

1. Internet at Trial – providing evidence via the Internet.
2. Transcript streaming – transcribing court proceedings from a court reporter's record to a computer, network or the Internet.
3. Video/audio/evidence streaming – broadcasting in real time courtroom proceedings to a computer, network, or the Internet.
4. Videoconferencing – allowing persons to participate in courtroom proceedings from long distances through the use of video communication. Videoconferencing for first appearances and arraignments is commonplace and has been used for the past two decades due to its cost savings and decreased security risks. It is used widely for parole interviews, juvenile detention hearings, mental health hearings, domestic violence hearings, pretrial conferences, remote witness testimony, and depositions.
5. Wireless Communications (Wi-Fi) – providing wireless Internet access to courthouse users. Services such as Wi-Fi are provided at no charge to the court; however, users such as attorneys and court reporters often pay by subscription.

To control costs, many courts utilize third-party providers for these courtroom services. Forty major courthouses in a dozen states use a provider whose court services include Wi-Fi, Internet in trial, transcript streaming, video/audio/evidence streaming, videoconferencing, and video arraignment.

Case Management

Commercial case management software applications are readily available, and several vendors specialize in court-specific case management systems. A listing of vendors is available on the NCSC website.

Commercial case management systems today offer a variety of delivery approaches. A vendor may design a case management solution specifically for clerks, public defenders or prosecutors. Other case management systems are designed specifically for particular case types, e.g., criminal, civil or traffic. Some vendors offer a comprehensive, integrated solution for use by judges and clerks, along with public access to court records for citizens, attorneys and other justice partners. Such vendors also may provide modular applications such as for jury management or e-filing that integrates with the electronic case record. While a complete assessment of commercial off-the-shelf solutions was not conducted, no single commercial package surveyed appeared to currently provide a comprehensive solution supporting all court stakeholder groups and required statutory functions for all divisions of the court.

Court case management systems generally provide the following functions:

1. Tracking cases from filing through disposition
2. Automatically creating court-generated documents
3. Integrating calendaring and scheduling
4. Electronic filing
5. Document management and tracking of paper files

Providing greater ability to effectively adapt to changing court business processes, some case management system vendors are now beginning to offer configurable commercial system products that contain business rule and workflow engines that have been used in other industries for many years. The capabilities provided by these engines offer varying degrees of flexibility for establishing, managing, and modifying court business processes and workflows. These capabilities allow the system integrator and/or the court system users to make changes that previously required costly programming modifications and significant time and effort to implement.

As the court business functions related to automating case management (and case maintenance) functions continue to evolve, mature, and become standardized, commercial systems with these configuration characteristics may offer distinct advantages over those requiring custom programming for all changes.

Technology Standards

The NCSC provides extensive technical and business process resources that state and local courts (or group of courts within a state or region) can use for procurement and development of civil, domestic relations, criminal, juvenile, and traffic case management software, and e-filing applications. These documents reflect best practices and "ideal" processes that should be considered as guidelines rather than system design specifications. Definition of a detailed architecture also is beyond the scope of these standards.

The functional standards documents are established as high level frameworks that must be customized with particular court needs before application software vendors can design their

products. The standards for each case processing system have been broken down into the following functional groups,[7] which chronologically track how a case moves through the court system:

1. **Case initiation and indexing -** The activities that initiate a case and maintain its index including acceptance and processing of the initial filing, associated record keeping and reporting, and creation and maintenance of an index for the case.
2. **Docketing and related recordkeeping -** The activities associated with entering a document in the docket to ensure that (a) a document (e.g., complaint, request for jury trial) has been filed, (b) a filed document (e.g., certificate of readiness, demurrer, motion to strike) is the basis for placing a case on the court's calendar for a hearing or other review, and (c) what occurred at the hearing or other review is reflected in the file.
3. **Scheduling -** The activities associated with scheduling upcoming events, maintaining and displaying information on scheduled events, and monitoring adherence to schedules.
4. **Document generation and processing -** The activities associated with generating, distributing, and tracking documents that notify individuals of past and upcoming events and other court actions.
5. **Calendaring -** The activities associated with the production of court calendars including the generation, maintenance, and, in some instances, electronic distribution of court calendars for each type of hearing (e.g., jury trial, non-jury trial, motion hearing).
6. **Hearings -** The activities associated with reaching a decision in calendared events, recording the results of these events, and notifying the appropriate persons of court decisions.
7. **Disposition -** The activities associated with disposing a case or defendant in a case, including any type of disposition resulting from a court decision after jury or non-jury trial, guilty plea (e.g., by plea agreement), dismissal, bound over, transfer out to another jurisdiction, consolidation, nolo contendere, or bail forfeiture. This function supports the user in accomplishing the actions called for in court orders.
8. **Execution -** The activities associated with execution of a judgment.
9. **Case close -** The activities associated with final closure of a case (i.e., case status becomes "closed").
10. **Accounting (front counter, cashier, back office and general ledger functions) -** The activities necessary to satisfy the court's fiduciary responsibilities include receipt of funds, posting case-related funds to a case fee record, posting non-case-related funds to other types of records, maintaining account records, disbursing funds, generating checks, billing, producing payment agreements, producing notices required for collection activities, reconciling bank accounts, and producing documents required to satisfy county, state, and federal auditing agencies.
11. **Security -** The activities associated with ensuring the integrity of the case processing system, its data, and its documents during normal operations and after a system failure or outage.
12. **Management and statistical reports** - The activities associated with reporting caseload, workflow, and workload statistics and other court financial, operations, and staff management information.

The NCSC has partnered on the development of a number of national standards and provides links on its website to the primary organizations that have developed these standards:

[7] **Civil and Criminal Functional Standards**, NCSC website (http://www.ncsc.org/default.aspx).

- Global Justice XML Data Model (GJXDM) – an XML standard established by the Global Justice Information Sharing Initiative's (Global) Infrastructure and Standards Working Group. It is designed specifically for criminal justice information exchanges, providing law enforcement, public safety agencies, prosecutors, public defenders, and the judicial branch with a tool to effectively share data and information.
- National Information Exchange Model (NIEM) - a federal, state, local and tribal interagency initiative that leverages the data exchange standards efforts successfully implemented by the Global Justice Information Sharing Initiative (Global) and extends the GJXDM to facilitate timely, secure information sharing across the justice, public safety, emergency and disaster management, intelligence, and homeland security enterprise.
- Information Exchange Package Documentation (IEPDs) - specifications developed by the NCSC and adopted by the Joint Technology Committee of the Conference of State Court Administrators and the National Association for Court Management. They define a particular data exchange using the NIEM/GJXDM standards. They are intended as models for information exchanges that meet specific business needs. For example, an IEPD has been developed specifically for exchanging arrest warrant data.
- NCSC Court/Child Welfare National Exchange Template (Court/Child Welfare NET) – a collaborative effort by the NCSC to develop a set of technical specifications designed for information exchange between the courts and child welfare agencies. Information exchanged from the courts to child welfare agencies includes complete court orders as well as settings, pending warrants, and other necessary judicial information. From agencies, Court/Child Welfare NET provides information to the courts such as treatment and service plan progress, as well as special requests such as interpreters or security needs.

Current Court Systems in Florida

To understand the current status of the state court system, TRW conducted surveys and site visits as described earlier in the Methodology section. This section contains analysis and reporting of the data collected for this study.

Application Systems Data Analysis

State court system stakeholders identified a total of 1,344 systems in the Court System User Survey conducted in August-September 2009. This total includes multiple counts for such systems as the Comprehensive Case Management System (CCMS), the JIS, Business Office Management System (BOMS), and STAC (case tracking system) as well as IT infrastructure-related systems that were incorrectly reported. To better understand and analyze the identified systems, TRW divided them into four main categories:

1. **Strategic systems** - Statewide or local application systems with the primary purpose of enabling or providing direct support to the various divisions and business functions of the state courts system in Florida.
2. **State and local law enforcement systems** - Owned and operated by state or local agencies with the primary purpose of supplying law enforcement-related data, e.g., Driver and Vehicle Information Database (DAVID), jail systems, and sheriffs' databases.
3. **Administrative and financial systems** - general accounting and human resource systems used for both court and non-court functions, e.g., FLAIR, MyFloridaMarketplace, county accounting and asset management systems.
4. **Other IT support systems** - IT infrastructure and office automation tools that are not directly related to specific court processes (these systems were specifically excluded in the survey instructions).

The following chart shows the total number of systems identified by these categories:

TABLE 6: Court System User Survey Response Categories

System Category	# of Systems Reported	% of total
Strategic systems	921	69%
State and local law enforcement systems	74	6%
Administrative & financial systems	137	10%
Other IT support systems	199	15%
Unclassified systems[8]	8	
Total	**1344**	**100%**

Except for the inclusion of BOMS, the data analysis in this report reflects ***only* the 921 strategic systems**. BOMS supports accounting, personnel, and inventory management functions primarily for state attorneys, public defenders, and guardians ad litem. It was distinguished from the other administrative and financial systems and included in the strategic system count because *it is used exclusively for court stakeholders*; it is not used for non-court purposes.

[8] Classification of 13 systems could not be definitively determined.

The strategic systems were analyzed further to address duplicate entries, but it was unclear from the data whether the multiple users that identified systems such as CCMS, STAC, and BOMS use the system functionality in the same manner. For example, although STAC is provided by a single vendor, each circuit that uses this software maintains a separate local copy that it modifies to meet specific business needs. Similarly, while CCMS is a single software package maintained by FACC, different county clerks use different modules or components, e.g., civil, criminal, and jury management, which were developed for specific county needs. A more detailed analysis would be needed to precisely determine the number of systems that would be affected by the effort to implement the integrated computer system.

The following table shows the strategic systems that were most frequently reported as providing computer support for the integrated business functions identified in 29.008(1)(f)(2), F.S. CCMS was consistently used to support these functions.

TABLE 7: Most Frequent Systems Associated with Functionality Identified s. 29.008(1)(f)(2), F.S.

Functionality	System and Number of Respondents		
Operation & management of office/ organization	CCMS (41)	BOMS (31)	COURTVIEW (29)
Performance Accountability Data	CCMS (35)	STAC (22)	BOMS (20)
Revenue/financial/audit data	CCMS (35)	BOMS (30)	CLERC (23)
Case Management Data	CCMS (37)	CJIS (24)	STAC (23)
Sentencing score sheets	CCMS (37)	STAC (13)	COURTVIEW (13)
Case Information (including background & disposition data)	CCMS (39)	CCIS (34)	JIS (27)
Video evidence stored in integrated case management systems	CCMS (11)	STAC (5)	Benchmark (2)

Table 8 shows a breakdown of strategic systems by court division that are used for one or more of the integrated business functions identified in 29.008(1)(f)(2), F.S. The criminal division had the highest number of systems identified across all functions, and small claims court and probate had the lowest number of systems identified. Most of the systems reported were used to operate and manage their organizations and to provide case information, including background and disposition data. Video evidence was the function in 29.008(1)(f)(2), F.S., with the least amount of reported systems.

TABLE 8: Systems by Court Division Associated with Functionality Identified s. 29.008(1)(f)(2), F.S.							
Court Division	Office operation & management	Performance Accountability	Revenue/ financial/ audit	Case Management	Sentencing score sheets	Case Information	Video evidence
CIVIL	380	211	193	296	93	323	26
CRIMINAL	494	252	226	387	120	434	29
FAMILY	387	220	202	312	91	341	23
JUVENILE	430	238	203	356	115	392	29
PROBATE	287	159	151	220	77	243	22
SMALL CLAIMS	280	154	142	211	72	233	21
TRAFFIC	395	229	206	323	107	359	28

To obtain a broader perspective regarding the automation of the court-related business processes beyond those identified in s. 29.008(1)(f)(2), F.S., additional data were collected regarding the use of identified systems for general court-related business processes. Tables 9 and 10 show the systems used to support general court-related business processes.

TABLE 9: Most Frequent Systems Supporting Court-Related Business Processes			
Court-related Business Process	System and Number of Respondents		
Electronic Filing	CCMS (29)	Courtview (14)	Odyssey (11)
Case Review & Evaluation	CCMS (39)	Courtview (26)	CCIS (25)
Creation or Updating of Case Records	CCMS (36)	STAC (22)	Courtview (20)
Docket Management	CCMS (40)	Courtview (28)	STAC (23)
Case Monitoring & Coordination	CCMS (41)	Courtview (29)	CCIS (24)
Court Scheduling	CCMS (34)	Courtview (24)	CJIS (16)
Jury Management	CCMS (29)	Jury Mgt System (26)	Courtview (7)
Management & Administration	BOMS (27)	Odyssey (8)	CJIS (6)
Courtroom Proceedings	CCMS (41)	Courtview (26)	STAC (19)
Entry of Court Decisions in Record	CCMS (35)	Courtview (20)	Odyssey (16)
Fines & Fees	CCMS (34)	Courtview (20)	CLERC (16)

CCMS appears to be the most common support system for all court business processes, with Courtview the second most frequently identified system. BOMS was the most common system identified for management and administration processes. STAC was frequently indicated as supporting creation or updating of case records, docket management, and courtroom proceedings. CCIS was identified in the top three systems for case review and evaluation and case monitoring and coordination processes.

TABLE 10: Systems by Court Division Supporting Court-related Business Processes							
Court-related Business Process	**CIVIL**	**CRIMINAL**	**FAMILY**	**JUVENILE**	**PROBATE**	**SMALL CLAIMS**	**TRAFFIC**
Electronic Filing	452	598	464	520	339	324	478
Case Review and Evaluation	127	129	113	124	93	91	120
Creation or Updating of Case Records	270	360	293	339	208	194	301
Docket Management	231	273	252	280	174	167	247
Case Monitoring & Coordination	249	277	258	289	192	190	259
Court Scheduling	268	350	293	340	208	199	292
Jury Management	178	202	183	205	138	141	188
Management and Administration	91	102	84	81	70	67	85
Courtroom Proceedings	75	80	76	80	53	48	70
Entry of Court Decisions in the Record	220	292	238	275	182	172	255
Fines & Fees	173	203	192	209	138	130	191

The number of systems that support electronic filing is notable and suggests a degree of experience and readiness to implement the e-filing initiative identified in CS/SB 1718. However, the data also suggest a significant amount of diversity in the systems that support this business process, and should be reviewed further in conjunction with "receiving" process of creation or updating of case records to get an idea of the number of systems that will be involved in this initiative. While the state court system is beginning to develop standards for the current e-filing initiative,[9] there is no comprehensive set of business process or functional specifications for the integrated computer system.

The business processes in criminal and juvenile court divisions appear to have the largest number of systems identified across all court functions, while probate and small claims court divisions show fewer systems identified. Traffic court also showed a significant number of systems used across the board. A comparatively high number of systems were identified for civil division for three court-related business processes: (1) case review and evaluation, (2) courtroom proceedings, and (3) management and administration, although a relatively smaller number of systems were identified overall for each of these business processes.

The number of data exchange and interface requirements that must be maintained with the current strategic systems is significant. The Court System User Survey data show 1,345 interfaces for the 458 systems that reported interface or data exchange requirements. Approximately 72 of these systems had 5 or more interfaces to maintain. Survey respondents reported 113 of the interfaces were with CCIS, 96 with JIS, and 74 with SRS. This is important to note because system interfaces require human intervention or technology investment to automate and maintain data exchange or interface functions. The number of interfaces also adds

[9] Work has been done to identify data elements for court business processes, but has not been tied to requirements specifications necessary to implement the integrated computer system.

to the level of system complexity. The data show the largest systems (e.g., Miami-Dade's Traffic Information System, Leon County's JIS-MIS, and CCMS/ CLERICUS) have a substantial integration burden, which increases the amount of overhead (and cost) associated with these systems.

Current governance structures and processes

The majority of clerks, state attorneys, public defenders, and guardians ad litem indicated that they have some type of governance process for identifying and requesting system changes/enhancements. Some of these processes are formalized and a part of the stakeholder's organizational structure. For example, the governance structure for systems operated and maintained by the FACC, e.g., CCIS and CCMS, includes a specific clerk subcommittee that is comprised of clerks and their staffs who are system users. Each subcommittee reports into the FACC Technology Committee, which makes final decisions on system issues. However, this decision-making process does not appear to include any system users who are not clerks or their staffs. Some judges indicated that they have to submit requests for system changes or enhancements for CCIS or CCMS to the clerks for their consideration and/or response.

Some of the individual counties and circuits, i.e., the 6th and 11th judicial circuits, also have established formal and informal governance processes involving multiple court stakeholders to address any needed system issues and changes. Other circuits use their criminal justice systems structure for this purpose, e.g., 6th, 13th, and 20th judicial circuits.

A number of judges indicated that they were not involved in any type of governance process for requesting and approving system changes and enhancements. These judges indicated that any changes or enhancements they felt were necessary to facilitate their use of a particular system were directed to the system's service provider, including other court stakeholders and vendors, and all final decisions were made by that provider.

None of the *current statewide systems* has a formalized governance process or structure that includes *all* the court stakeholders who are current system users.

Functional Gaps

In general, court stakeholders identified e-filing as the biggest system functional gap or issue that limits their court-related application systems to fully meet their court-related business process needs. Table 11 summarizes, by stakeholder, the identified major system functional gaps or issues and how such gaps/issues impact their business process needs.

TABLE 11: Major Functional Gaps Reported by Stakeholder

Stakeholder	Major Functional Gaps/Issues	Business Impact
Clerks	Limited or no e-filing capability, document generation, advanced workflow, and automated collections	Creates office inefficiencies and additional workload
	Some integration problems with other systems	Creates additional workload
	Outdated technology and reliance on legacy systems	Requires duplicate data entry with same information maintained in different systems
	Missing functionality	Requires maintenance of paper files

TABLE 11: Major Functional Gaps Reported by Stakeholder		
Stakeholder	**Major Functional Gaps/Issues**	**Business Impact**
Judges	No case management component	Court managers could more efficiently shift case loads, make judicial assignments, assign courtrooms, and create performance reports
	Unable to pull comprehensive information across all divisions to connect related cases, unable to sort data in order to determine oldest cases that need immediate attention	Impacts ability to ensure that all cases for a particular defendant/respondent have been identified and obtained
	Design of certain systems do not meet needs of court	Workarounds developed and some hearings take longer leading to fewer cases being scheduled on a docket
	Lack of integration to case management systems and duplication of storage silos	Creates office inefficiencies by needing to look in different files
	Limited or no e-filing capability, multi-county data integration, and single user login	Creates inefficient workflows and decreases accuracy of entered data
	County specific, not centralized circuit-wide or statewide	Circuit-wide evaluation and reporting is not automated and requires manual compilation
Public Defenders	Limited or no e-filing capability	No specific impacts were noted in the survey but interviews indicated paper processes to be labor-intensive (need to generate paper and physically take to the courthouse)
	Lack of integration, redundant data input	Delay in obtaining and maintaining real-time data, impacts case opening and case updating function
	Lack of ability to receive documents electronically from state attorney	No specific impacts were noted in the survey but interviews indicated paper-based exchange of witness lists and document-based discovery do not effectively leverage existing network connectivity and application capabilities
	Lack of internal calendar	Must rely on other tools for scheduling and time management
State Attorney	Limited or no e-filing capability	Must rely on paper files
	Lack of integration and data exchange	Increased workload to carry out manual functions
Guardians Ad Litem	Limited or no e-filing capability	Creates cost and work inefficiencies
	Lack ability to scan documents	No specific impacts were noted in the survey but interviews indicated the need to delivery paper case files to guardians instead of being able to e-mail documents

Several public defenders expressed a desire to have easier access to public records contained in criminal justice information systems. The Florida Department of Law Enforcement (FDLE) and the state CJJIS Council[10] is responsible for providing access to CJJIS data. The FDLE indicates that public defenders do not meet the Federal Bureau of Investigation's definition of a criminal

[10] CJJIS Council is established in s. 943.06, F.S.; duties and responsibility and guiding principles are specified in s. 943.08 and s. 943.081, F.S., respectively.

justice agency and therefore are not authorized to access criminal justice information systems over Florida's Criminal Justice Network (CJNet) established in s. 943.0544, F.S. The CJJIS Council has developed alternative methods to ensure public defenders have access to authorized information outside the CJNet. Public defenders can access authorized criminal history system information from FDLE and DAVID system information from Florida Department of Highway Safety and Motor Vehicles systems over the Internet rather than via the CJNet.

Site Visit Observations

Overall, the site visits showed that each office is challenged with workload to implement and use technology to improve efficiency of their operations. Most (but not all) of the systems that were demonstrated worked well and addressed the needs of each office. Stakeholder input from both the surveys and the site visits reinforced the desire to (1) maintain the current level of functionality (at a minimum) that is provided in the systems, and (2) retain some level of local management control to ensure flexibility in addressing local needs, e.g., creating new work queues and reports for new diversion programs or managing high profile cases.

The site visits reinforced the diversity of the court system. Small county needs, capabilities, and resources are different and generally less demanding than mid-size or larger circuits/counties that have higher workload and complex logistics to manage. The communication and cooperation between the court stakeholders varies greatly and corresponds with the effectiveness of the systems to meet the needs of the courts and the clerks.

The front-end and back-end processes of the courts and the clerks are very different and require different types of functionality to meet their system needs. The front-end processes for the judges and judicial administration involve courtroom-based activities, such as jury empanelling, hearings, trials, jury selection, which generally result in outputs, e.g., orders, judgments, etc. The judiciary reported that these processes require efficient and timely access to all of the information that has been filed regarding the cases under consideration, and are governed by the Florida Rules of Procedure and Administrative Orders adopted/ issued by the Florida Supreme Court and the circuit courts. *(This general statement does not sufficiently define requirements specifications for the courts.)* Back-end processes for the courts include the planning and administrative management of cases before the court, which include assignment of cases to judges, magistrates, and hearing officers, and scheduling, monitoring, and adjudicating those cases for the fair and impartial administration of justice. These back-end processes require access to basic case progress and status information to ensure the effective planning and management and efficient and timely movement of cases through the court system. The chief judge in each circuit has discretion regarding the methods used to execute the back-end processes.

Among their other responsibilities, e.g., recording deeds, and other official records, the front-end court-related processes of the clerks include receipt of documents and collection of fees from the public, private attorneys, state attorneys, and public defenders. These business functions result in establishment of a new case or addition of information to an existing case. Most clerks have electronic document management systems that require scanning and indexing to ensure availability for back-end processes. The near-term requirement to scan documents will continue to exist even with implementation of e-filing because not all documents that are filed are

provided in an electronic form, e.g., wills and deeds. However, the scanning requirement should be greatly reduced with full implementation of e-filing.

In circuits with very large caseloads, e.g., the 9th, 11th, 13th, and 17th circuits, the business process logistics required to efficiently store and move both paper-based and electronic files should not be underestimated. *Substantial coordination and cooperation between clerks and the judges is critical to develop effective business process and technology solutions.* The back-end processes of the clerk involve storage and retrieval of the documents for use by the court. An additional back-end process involves providing requested documents to the public and ensuring the security and privacy of confidential information that may be contained in the documents.

It is clear that the courts require both the data and the documents received and entered in the clerk's system(s) when filed. The clerks require the output from the courts to accurately record interim events, status and the final disposition of cases in their system(s). This interdependence made it a bit surprising to find that in a few circuits, the clerk was not familiar with the information needs of the court. Not surprisingly, in these cases, the court was not satisfied with the level of automation and support from the clerk. Similarly, in related situations, because the judge also was not familiar with the information and business process needs of the clerk, the clerk was not satisfied with the established level of automation, which often resulted in inefficient filing processes and large manual process workloads.

Lack of agreement and use of consistent business process terminology among the stakeholders also appears to contribute to the perceived ineffectiveness of the current systems in meeting their needs. For example, to the court, the term "docketing" means scheduling a case, but to the clerk, "docketing" means entering or noting the receipt of a new document or activity in a case. Perhaps a more fundamental example involves the lack of an agreed-to definition of the term "case." To the clerk, the court, the public defender, and the conflict counsel, a case is established upon filing; however, to the state attorney, a case is established upon arrest or filing of a complaint (before it is filed with the court). Past efforts to define "case" have not resulted in a standard statewide definition that accommodates the state attorney's use of the term, which could indicate the need for a different standard term to capture this business event for the state attorneys.

Another issue that was identified by several different court stakeholders in the surveys and site visits involves the need for a uniform statute table that can be used by law enforcement when charging/ booking an individual who has been arrested. The issue involves determination of the level of statutory citation required for accurate charging and reporting of a case. Inconsistencies between the level of citation between local law enforcement, state attorney, and FDLE can cause confusion and inaccuracy in the charging and sentencing processes. It also creates the need to correct errors and increases the time it takes for the clerks to open, track, and accurately report criminal cases in their systems.

These two examples demonstrate the challenges facing the state court system stakeholders in defining business process terms and common standards. The current structures also create challenges for ensuring compliance with standards once they are adopted. For example, the Supreme Court adopted AOSC03-16 in 2003, which requires each judicial circuit to develop an annual operational plan that outlines the tasks and costs associated with planned upgrades and/or

enhancements of current systems. It is unclear whether explicit criteria have been established for when and how requests would be approved or disapproved, and whether any consequences have been levied for non-compliance. In fact, some circuits and clerks do not appear to have requested approval of new systems as required by this Order.

The decentralized funding structure for court technology established by the Legislature also presents challenges for statewide and circuit-wide planning and coordination, particularly in multi-county circuits. Some multi-county circuits have cooperative arrangements between counties to pool their funds to enable circuit-wide projects; in other multi-county circuits, each circuit court stakeholder must request needed funds separately from each Board of County Commission. The latter model can be very time consuming in circuits with multiple counties, e.g., Circuits 3, 8 and 14. The Criminal Justice Information Systems (CJIS) working group in the 11th Circuit prioritizes projects, which facilitates funding decisions in Miami-Dade County.

Financial Analysis

The Court System User Survey identified more than **$261.8 million in implementation costs**, which are "sunk costs" for strategic court-related systems. A total of **$107.7 million in recurring annual costs** for county FY 2008-09 were identified, which includes $23.1 million in annual payments to service providers and $84.6 million for in-house system operation and maintenance costs. Finally, the survey showed **$131 million in planned expenditures for enhancements, modifications, and replacement** of current strategic court-related systems through 2011. NOTE: These financial numbers reflect the aggregate of the data reported; the data were not adjusted for non-responses or potentially duplicate entries.

TABLE 12: Total Strategic IT Systems Costs

Purpose	Total Reported
Implementation costs	$261,839,272
FY 2008-09 operation & maintenance costs	$107,747,195
Planned enhancement costs	$131,061,999

Fifty-nine percent of the total of all court-related application systems costs is funded by other county revenue; the second largest funding source is the clerks' $1.90 service charge authorized in s. 28.24(12)(e), F.S. Table 13 summarizes the *top five* funding sources identified as the *only funding source* for specific court-related application systems.

TABLE 13: Top 5 Primary Funding Sources for Strategic IT Systems

Cost Categories	Other County Revenue	Service Charge in s.28.24(12)(e), F.S.		State General Revenue	$1.50+ Public Records Modernization TF
		$1.90	$2.00		
Total Cost to Implement	$70,246,897	$20,306,382	$4,992,008	$4,709,900	$3,744,264
FY 2008-09 Operation & Maintenance Costs	$5,294,937	$23,024,464	$7,351,756	$2,695,398	$696,865
Cost of Planned Enhancements	$63,774,978	$7,961,837	$21,174,000	$1,145,250	$408,483
TOTAL	**$139,316,812**	**$51,292,683**	**$33,517,764**	**$8,550,548**	**$4,849,612**

The survey results indicated that other county revenue provided the most funding (as a single funding source) for system implementations and for planned system modifications and enhancements. The additional service charge established in 28.24(12)(e), F.S., appears to be used predominantly for recurring annual costs, which include annual payments to system service providers and funds for staff, contractors, hardware, and software to maintain identified systems.

State attorneys consistently expressed a concern regarding possible attempts to change or reallocate the funding provided in s. 28.24(12)(e), F.S. Some state attorneys also suggested the need to clarify that this funding source should not be considered a maximum limit on a county's obligation to fund IT needs for them. While there may be some local jurisdictions where this clarification may be helpful, the survey data suggest other county revenues are the primary source for implementation and enhancement of IT systems for trial courts, state attorneys, public defenders, and the clerks.

The $2 portion of the $4 service charge was established in s. 28.24(12)(e), F.S., to assist the counties with funding the court-related technology needs for the circuit and county courts, public defenders, and state attorneys. The funding source was subsequently expanded, but not increased, to cover the guardians ad litem and criminal conflict and civil regional counsels; however, data from the Court System User Survey showed that ***no funds*** from the $2 service charge were used to pay technology costs for these users in FY 2008-09.

Table 14 below shows the breakdown for county fiscal year 2008-09 by stakeholder of the $2 service charge identified as the *only* funding source for their court-related application systems.

TABLE 14: Annual Operation & Maintenance Cost using $2 Funding Source by Stakeholder

Stakeholder	Amount	Percentage
Judges	$2,725,490	35%
State Attorney	$2,028,170	26%
Public Defender	$2,041,966	26%
Clerk	$916,639	12%
Guardian Ad Litem	$0	0%
Regional/Civil Conflict Counsels	$0	0%
TOTAL	**$7,712,265**	

In addition, $16,848,217 in annual costs were identified as also accessing the $2 service fee as a primary funding source; however, this total was supplemented by other funding sources, including other county revenue. The survey data were not detailed enough to provide a specific funding breakdown when more than one funding source was identified.

The $1.90 portion of the $4 service charge is allocated to the clerks to fund their court-related technology costs and the $0.10 is intended to cover the costs for CCIS. The clerks also have access to a $1.50+ fee established in s. 28.24(12)(d), F.S. for public records modernization. *The following table shows the breakdown of clerk's reported costs by these primary funding sources.*

TABLE 15: Clerk's Use of Funds Established in s. 28.24(12(d), F.S.			
Purpose	**$1.90 service charge**	**$.10 for CCIS**	**$1.50 service charge**
Implementation costs	$61,532,509	$5,624,679	$39,573,149
FY 2008-09 operation & maintenance costs	$42,185,112	$1,620,379	$3,578,926
Planned enhancement costs	$18,874,329	None identified	$12,900,077

Table 15 shows approximately $61.5 million of the $1.90 service charge has been used to implement new systems since 1973; an additional $39.5 million in implementation costs was funded from the $1.50 Public Records Modernization Trust Fund.

Table 16 shows the primary funding sources used by the courts.

TABLE 16: Courts Primary Funding Sources and Uses				
Purpose	**$2 Service Charge in §28.24(12)(e), FS**	**Other County Revenue**	**State General Revenue (GR)**	**$1.90 in §28.24(12)(e), FS**
Implementation costs	$8,807,529	$70,666,550	$9,351,325	$242,000
FY 2008-09 operation & maintenance costs	$2,800,080	$5,117,944	$7,170,052	$28,100
Planned enhancement costs	$24,338,034	$22,383,133	$1,395,250	$5,000,000

As indicated before, other county revenue has been a primary source of funding for new systems. State general revenue and the $2 service charge are comparable in their use for new system implementation. Contrary to the aggregate data reported in Table 13, the courts reported that funding for planned system enhancements and modifications is nearly evenly split between the $2 service charge and other county revenue. The $5 million planned cost using the $1.90 revenue is for purchase of Banner in the 15th judicial circuit.

The County Fiscal Survey was sent to all 67 county managers for completion and 47 surveys were returned for a 70 percent return rate. Sixty-two percent of the respondents indicated that they use their county's annual budget process to make decisions regarding the allocation of the $2 revenue. The majority of these counties indicated that this revenue has been sufficient to cover the cost of the applicable court-related technology needs as identified in the stakeholders' proposed annual budget requests. However, several counties indicated that within the past year, all fund balances and interest earned have been expended and they anticipate FY 2009-10 revenues will **not** be sufficient, and other county revenues will be required. There were some counties that indicated the $2 service charge revenue has not been sufficient for some time and in these cases, the counties have used other county revenues (primarily ad valorem tax revenue) to supplement the funding of their county's court-related technology needs.

For the counties utilizing their annual budget process to make funding decisions regarding the allocation of the $2 service charge revenue, several counties have stakeholders groups (usually the local CJIS council) that make funding recommendations to the Boards of County Commissioners.

A small number of counties (Baker, Hamilton, Indian River, Martin, Monroe, and Seminole) have developed a fixed percentage allocation methodology that directs the annual appropriation of the $2 service charge revenue. Brevard, Collier, and Escambia are mid-size counties that also have such a methodology. In some cases, the percentages are derived by calculating the number of personal computers (desktops and laptops) or printers in each agency and others derive their percentages by using a formula based upon the number of FTE. Only a few have a percentage allocation agreed to by the stakeholders.

Two counties (Charlotte and Clay) remit their $2 service charge revenue to their clerks (which accounts for the clerk's amount in Table 14).

The overwhelming majority of counties stated they have no specific governance structure or process (other than their county-established budget process with the Board of County Commissioners having final authority) for prioritizing the funding of court-related technology projects. A small number of counties have a multi-agency stakeholder group established for the purpose of reviewing proposed court-related technology projects and making funding recommendations to their boards. If the $2 service charge revenue is insufficient to fully fund an approved court-related technology project, the majority of counties indicated they allow the affected agencies to decide what reductions and/or project changes are needed.

The majority of counties stated their county has a more specific accounting code structure beyond the state's Uniform Chart of Accounts to track s. 29.008(1)(2)f., F.S. expenditures, which means that additional detail regarding IT expenditures made with the $2 revenue is available at the county level.[11]

Five counties (Collier, Lee, Leon, Monroe, and Pinellas) out of the 47 total responses stated they have a strategic IT plan that addresses the statutory requirements for the integrated computer system. Without all counties having a strategic plan relating to their portion of the implementation of the integrated computer system, it is not clear how such a system would be established at the local level.

[11] The Department of Financial Services indicated their interest in reviewing the specific accounting code structures submitted by these counties to determine any potential follow up activities.

Strategic Policy Questions for Courts and Clerks

TRW posed the following strategic questions to the FCTC and the FACC to understand the current status of statewide court application system planning, uniform business process standards, and governance structures and decision-making processes that are in place. Excerpts of the responses to these questions are presented below.

The complete FCTC and FACC responses are provided in Appendix C. In addition, FACC provided a consultant's review of the CCIS, CLERICUS, and other FACC applications; however, because of its proprietary nature and usage constraints, this work product is not included in this report, but the results of the review were considered in the study.

1. **What (specific) court-related functions need to be automated/ integrated in the various court divisions?**
    a. **What is their recommended business priority and implementation sequence?**

Excerpt of FCTC Response: As courts move from a paper based environment for receiving, maintaining, using, and distributing digital records and information, courts must reexamine all of their functions. The courts are currently gathering information in order to answer this question appropriately. A plan to do this in a systematic fashion has commenced, including meetings with chief judges, trial court administrators, chief technology officers, and groups of the clerk of court for their input.

Excerpt of FACC Response: Section 28.35(3)(a), F.S., identifies the court-related functions that may be performed by the clerk. The automation and/or integration of the majority of these functions have been accomplished via the development and deployment of the following systems:

- CCIS – Comprehensive Case Information System
- TCATS – Traffic Citation Accounting Transmission System
- CCMS – Comprehensive Case Maintenance System
- CLERICUS – Upgraded replacement system for CCMS
  Note – CLERICUS has not yet been widely deployed.
- Clerc- Child Support Enforcement/Collection Distribution System

Some of these systems, i.e., CCIS, are integrated at the state level while others, i.e., CCMS/ CLERICUS are integrated at the county and/or circuit level. By convening the appropriate stakeholder groups and adhering to appropriate project management requirements, all business process requirements were identified during the requirements phase of system development. This same approach should be utilized as the clerks begin to undertake the identification of the required business processes necessary for the clerks to efficiently perform the core services identified in s. 28.36(3), F.S. This approach will assist us in recognizing what business processes or core functions would be applicable for automation and/or integration.

Additionally, the clerks support the creation of a workgroup of all stakeholders to provide guidance and structure (led by the Legislature) for identifying the business process requirements for the creation of an integrated case maintenance and case management system(s).

Finally perhaps the most important automation/integration facing the clerks and the entire Judiciary is eFiling and secured access of electronic files in the courtroom and other appropriate venues.

The priority of implementation of an eFiling system should be based on volume and ability of the filers to comply. Consideration of what reports and method of reporting should be identified. The Summary Reporting System (SRS) would be a good place to begin the review of the cases with the most volume and complexity.

Due to the importance of the e-filing issue the remaining questions and responses will focus on that initiative.

2. **What specific uniform technical and substantive standards have been or need to be developed?**
   a. **What process is needed to implement such standards?**

FCTC Response: The Supreme Court issued Administrative Order AOS03-16 in 2003 and AOSC09-30 in 2009 which mandates the standards developed by the FCTC and approved by the Supreme Court are presently in effect. The court is also in the process of identifying data elements for each court division to be captured by the statewide e-portal, to implement e-filing in all divisions of the courts.

Setting standards will continue to be a dynamic process as technology, court rules, statutory law, and case law changes. The standards will be updated from time to time to reflect these changes.

When a circuit or county wants to implement an e-filing system (or e-filing process), the chief judge and the clerk of court must submit a plan to the FCTC for approval. The plan is reviewed to ensure that it complies with all technical standards. Copies of the applications are listed on our website at: http://www.flcourts.org/gen_public/technology/e-filinginfostatus.shtm#efilingapplications.

   b. **What is the recommended/established governance structure for ensuring compliance with such standards?**

FCTC Response: The FCTC has drafted a proposed rule of judicial administration[12] to govern state courts technology and a petition to submit that rule to the Supreme Court. The proposed governance rule states:

"The Florida Courts Technology Commission (FCTC) is responsible to establish, periodically review, and updated technical standards for technology used and to be used in the judicial branch to receive, manage, maintain, use, secure, and distribute court records by electronic means, consistent with the technology policies established by the Supreme Court. These standards shall be coordinated with the strategic plans of the judicial branch, rules of procedure, applicable law, and directions from the Supreme Court, and shall incorporate input from the public, clerks of court, Supreme Court committees and commissions, and other groups involved in the application of current technology to the judicial branch."

The rule as drafted will ensure that the FCTC will develop any and all standards for the court system and receive and review all applications for new court technology systems to ensure compliance with current technology standards. The Supreme Court has and will continue to have the authority to enforce those standards, through administrative orders and through its inherent powers.

FACC Response to BOTH questions a & b: eFiling standards currently exist on the national level. Clerks also comply with existing Florida specific standards and clerks will comply with any new data collection requirements developed by the Florida Supreme Court. It is recommended that a legislative governance structure be developed and modeled after the governance structure that was created in SB 1782 and passed in the 2009 Legislative session, or a governance structure could be created similar to the CJJIS Council s.943.06 F.S., for case types not handled by the CJJIS Council.

3. **What security precautions are necessary to protect confidential and private information in the automatic extraction of information in court records?**

Excerpt of FCTC Response: The protection of confidential information in court records is an issue with both legal and practical dimensions. The Supreme Court has directed its committees during the past several years to address both aspects, most notably through the Committee on Privacy and Court Records (2003-2005) and the Committee on Access to Court Records (2006-2008). The former committee addressed broad issues of policy, the latter was charged with developing implementation measures. Responsibility for issues regarding access and confidential information is now consolidated under the FCTC and its Subcommittee on Access to Court Records.

FACC Response: If a filer electronically files or submits a paper document containing information identified as exempt from public access pursuant to Rule 2.420, Florida Rules of Judicial Administration and applicable statute, the filer shall indicate that the document contains confidential information by placing the notation "confidential" in the

[12] Proposed rule was filed 29 JAN 2010.

comments section or file a separate document containing the documents that are exempt or claimed to be exempt from public access (and) shall be processed pursuant to Rule 2.420. When the exempt document is electronically filed with the local clerk, it will be flagged in the same manner as current paper filings.

4. **Have any "user" fee-based funding models been identified for potential statewide implementation?**
    a. **If such funding models were implemented, what role would the courts and/or the clerks play in their statewide implementation?**

FCTC Response: The FCTC is currently studying issues of funding and fee models for electronic records systems, along with other matters related to user access policies. Results of this review are scheduled to be submitted to the Supreme Court as a part of the commission's overall report filed at the end of its term, which is currently scheduled for June 30, 2010.

While a specific proposal cannot be advanced at this time, the commission anticipates advancing a funding model that is consistent with the following principles:

- E-filing and e-access should not be bifurcated but instead considered as parts of a comprehensive electronic records system. Any funding and fee structures should incorporate both.
- Fee structures should optimize access by litigants and counsel of record, encourage accountability, transparency, fairness and efficiency, and minimize non-beneficial and illegal uses of court records (commercial exploitation, voyeuristic, criminal)
- Fee structure should be uniform statewide
- Any and all fees for access to state court records must be authorized by statute. The extent of access should be subject to court rules.
- All revenues should be submitted to state trust funds to support the court related functions of the courts and the clerks.

The Committee on Privacy and Court Records recommended that access to court records online be permitted only when certain conditions are met. Among those conditions is a requirement that screening and redaction processes be in place to ensure that confidential information is not released without authorization. Until recently, standards had not been promulgated describing precisely how such screening and redaction must be conducted. Adoption of standard XML in all circuits and the appellate courts will facilitate automated redaction when confidential information is properly identified and tagged. A pilot program for online access has been authorized and is ongoing in Manatee County. A complete evaluation of the efficacy of the pilot program's protocols for redaction is not yet available, but preliminary reports are promising.

FACC Response: There are several fee-based options which have been identified by the clerks. If any option were adopted, the clerks would implement

the fee-based option in a similar manner to their current fee collection responsibilities with the appropriate legislative budgetary oversight.

One such option would be to extend the use of the Comprehensive Case Information System (CCIS) to private attorneys and the public on a subscription fee basis. CCIS access would be integrated with the clerk's eFiling portal to provide filing and access through a single login.

5. **What role should the courts and/or the clerks play to ensure adequate integration of technology?**
   a. **What is the process for fully integrating the technology utilized at all levels of the state courts system?**

      Excerpt of FCTC Response: While funding is a constraint, the present statutorily divided responsibility and funding for court technology and divided responsibility for case maintenance (the clerks of court) and case management (the court) remains the biggest obstacle to integration. For that reason, there is no process in place to integrate the technology among counties, circuits, or districts. Each circuit/county/clerk has implemented technology as it determines for its own local use. However, if the Supreme Court promulgates the new proposed governance rule, the FCTC will have more control over what is being developed and implemented in each circuit / county, to achieve greater consistency and compatibility statewide as new technology is developed. This should address some of the problems that the lack of integration causes.

   b. **What criteria are used to determine what business process and systems must be integrated?**

      Excerpt of FCTC Response: As noted in the response to question #1, activities are currently underway which will assist with the identification of what court functions need to be automated/integrated within the various court divisions. Upon completion of that task, the criteria specific to those functions will be easier to identify and appropriately associated with the business process and systems to be integrated. Therefore the response regarding criteria will be included in the report to be submitted after the February (2010) meeting.

      FACC Responses (to BOTH questions a & b): It is recommended that a single governance structure be created to oversee all court-related technology. The clerks would offer their existing technology infrastructure to support any possible court related function and support further integration. This would include both clerk-related statutory functions and non-clerk related functions such as Judicial Case Management.

6. **What ongoing role does / should the courts/the clerks play in technology integration in the state courts system?**

FCTC Response: The FCTC will always have a major role in the technology integration in the court system, and should have an even greater role if the proposed new governance rule is adopted.

The following point was recently submitted to the Rules of Judicial Administration (RJA) Committee members by an FCTC member who is also a member of the RJA to provide information and to summarize the need to establish a rule specific to the FCTC (proposed Rule 2.236). The "Rule 2.236, by itself, is neither revolutionary nor a marked departure from the previous AO's governing the commission. What it **is** an important governance document recognizing the position of the FCTC as the "right-hand commission" of the Court [and not just of each Chief Justice every two years] in all areas of technology that directly impact the Judicial Branch as it fulfills its constitutional role in the Florida system of government."

FACC Response: It is recommended that a single governance structure be created to oversee all court-related technology. The clerks would offer their existing technology infrastructure to support any possible court related function and support further integration. This would include both clerk-related statutory functions and non-clerk related functions such as Judicial Case Management.

Findings and Conclusions

1. The majority of clerks, state attorneys, public defenders, guardians ad litem, and regional conflict counsels indicated their current court-related application systems are adequate to meet their business needs; judges overwhelmingly indicated inadequacy of their current application systems.

Table 17 summarizes the responses from the Court System Principal's Survey, indicating adequacy of current applications systems to meet court-related business needs.

TABLE 17: Principal's Survey - Adequacy of current applications to meet court-related business needs

Response	Judge	State Attorney	Public Defender	Clerk
Yes	5%	100%	75%	73%
No	95%	0%	25%	27%

While all of the state attorneys and approximately three-fourths of the public defenders and clerks appeared to be generally satisfied with their systems, most judges indicated their application systems did not adequately meet their needs. The major issues identified by the judges included (1) having to access multiple systems to get needed data, and (2) the lack of case management functionality, which requires workarounds and manual processes.

Court stakeholders that work effectively together expressed higher satisfaction in getting their business needs met than those that did not enjoy a cooperative relationship. This is consistent with the recent OPPAGA report, which concluded that insufficient cooperation between clerks and the courts, circuit geography, and disproportionate caseloads were the primary factors impeding efficient delivery of court services.[13]

There are many circuits that enjoy a cooperative relationship between the clerks and the courts. Mechanisms for this cooperation range from formal agreements, e.g., Circuit 11 (Miami-Dade County), to informal arrangements, e.g., Circuit 8 (Alachua, Baker, Bradford, Gilchrist, Levy, and Union counties) and Circuit 13 (Hillsborough County).

2. Current law does not adequately define the scope, functionality, and main business objectives of the integrated computer system.

As currently defined, the functionality for the integrated computer system included in s. 29.008(1)(f)2., F.S., ranges from very general requirements (i.e., support office operations and management) to very specific court-related requirements (i.e., electronic exchange of sentencing scoresheets and video evidence). It does not provide clear implementable policy direction for the state court system.

[13] **Little Duplication in Court-Related Services; Clerk/Court Cooperation Should Be Improved;** OPPAGA Report No. 10-11, January 2010.

Although the statute identifies some minimum functions required to permit data sharing, in its current form it does not provide a complete policy framework defining the duties and responsibilities of the respective stakeholders of the state court system as end-users, managers, and system service providers. As a result, the state court system stakeholders, especially circuit judges and clerks of court, have not agreed to or clearly defined the intended purpose and function of the integrated computer system.

Because the scope, functionality, and main business objectives of the integrated computer system have never been unambiguously defined in law, the state court system stakeholders vary substantially regarding their opinion on what is in scope and not in scope. The stakeholders' interpretations of the functionality in the integrated computer system ranged from only sharing common data to the need to provide very significant end-to-end automation of all court related business processes.

Many of the court system stakeholders describe integration as having easy access to data in other law enforcement, correctional, or clerk-based systems. While court system stakeholders have need for access to the information contained in the systems operated by these entities, the statewide Criminal and Juvenile Justice Information Systems Council (Chapter 943, Florida Statutes) and local circuit or county criminal justice governance structures are responsible for these systems.

While the judiciary and clerk organizations would be the primary user organizations supported by the integrated computer system, other stakeholders such as private attorneys, state attorneys, public defenders, conflict counsels, and guardians ad litem also have requirements that should be met by an integrated system. These court participants envision electronic data exchange as a primary method to reduce or eliminate the need to handle paper and perform redundant data entry in their systems, and streamline case filing and scheduling of court events.

3. No permanent authoritative governance structure is responsible for planning, implementing, and operating the integrated computer system.

(A similar finding was identified in the Senate 2004 Interim Report.) The current governance structure for state court technology is decentralized and fragmented. For example, most decisions regarding technology investments are made independently at the local county and circuit levels, but also are made by the FACC, OSCA, the Supreme Court, and the Legislature. Even in circuits with an effective CJIS Council[14], this body is typically limited to making recommendations regarding IT investments for the courts. The current dependency on personal relationships for local cooperation is a limitation of current IT decision-making in the state courts system.

[14] Please note this is not the same as the CJJIS Council established in 943.06, F.S.

Governance is the assignment of decision rights and the creation of an accountability framework to achieve desirable behavior and outcomes in the use of IT.[15] Decision rights describe who has authority to make specific decisions and who has the role of providing input /advice. Successful implementation of the integrated computer system requires effective governance over financial, technical, and functional aspects of a project, and the operation and maintenance of the resulting system(s). Without such a governance structure, necessary planning and coordination required for the integrated computer system has not taken place.

The governance structure and processes must be supported and adequately staffed to be effective. The typical governance structure for a large project would include a steering committee that would formally charter workgroups and a project team to perform the project-specific tasks and produce project deliverables, e.g., gap analysis, business case development, business process mapping, requirements definition, cost estimation, and project management. *These workgroups and teams must be comprised of all affected court system stakeholders to ensure involvement and buy-in for the project. Without such a structure, it is doubtful that all necessary requirements can be captured.* The steering committee would be responsible and accountable for all major policy and project-related decisions, including reviewing and approving the project plan to be executed by the project team and the major project deliverables. The project team would work for the steering committee and report regularly on project status, risks and issues.

Once implemented, the system would require an operational group to manage the ongoing operation, maintenance, and enhancement of the system. The steering committee would retain responsibility and authority to approve (or disapprove) major changes in the system and the underlying standards to ensure uniformity and accountability.

CS/SB 1718 required the Florida Supreme Court to develop and implement standards for electronic filing of court records. It is important that these standards encompass financial, technical, and functional decisions as well as the necessary decision making authority over these elements to facilitate successful implementation. A clear statement of policy is needed and must recognize and incorporate the powers, duties, responsibilities of the state and locally elected and appointed constitutional officers in the decision making structure.

4. The state does not have a comprehensive statewide strategic plan that establishes a road map for developing and implementing the integrated computer system for the state courts.

The state court system needs a strategic plan that selects court functions that need to be uniform and integrated for the state court system to operate efficiently and effectively. To design and implement the integrated computer system, the state must identify the specific business and/or technology problems that the integrated computer system must

[15] Taken from Peter Weill and Jeanne W. Ross. **IT Governance: How Top Performers Manage IT Decision Rights for Superior Results.** Boston: Harvard Business School Press, 2004, pp 216-220.

address. A strategic road map containing this information is missing but critically needed if the integrated computer system is to ever be built.

A strategic plan would (1) unambiguously define the business processes enabled by the integrated computer system, (2) establish a sequence and priority for its implementation in all court divisions, (3) provide a means for transition from the current computer system environment, e.g., movement from diverse local county and circuit application systems to a single statewide system or a system of systems, and (4) be staffed by and developed with strong participation by all state court system stakeholders.

There are practical issues and constraints relating to resources, technology, and business processes in each court division that must be addressed when developing a strategy or plan for the integrated computer system. Analyses of other states, the federal trial courts, and technology trends for the courts indicate that some of these constraints can only be addressed incrementally in stages, over time. Inclusion of court functions should be based on sound analysis of the business value or benefits to be realized as articulated in a feasibility study. The feasibility study should include a business case and technology analysis, a reliable cost-benefit analysis, and a risk assessment and project plan that consider all major issues and constraints that need to be addressed for successful implementation.

Until there is a clear and specific plan of action that has been agreed to by the state court system stakeholders and the Legislature, the means of completing or making progress toward completing such a system is difficult to ascertain.

5. There is no agreed-to business process model or system architecture for the integrated computer system for the state courts.

Any statewide system implementation requires clear definition and agreement on how the affected business processes will work, which should be documented in comprehensive business process maps. There are standard methodologies for mapping the current and proposed processes and developing a business process model or architecture to describe the information flow between processes.

A business process model would identify the business processes that need to be uniform across and within court divisions. A system architecture would minimally need to specify technology standards, application systems, and interfaces that are needed to accommodate these processes in the integrated computer system.[16] The business process model and system architecture must define the functionality to be provided (and not provided) by the statewide systems and the functionality to be provided (and not provided) by the circuit/ county level systems.

For example, the business process model for e-filing would (1) identify all the business functions that are affected, (2) provide detailed mapping of the business processes

[16] Several circuits shared either court-developed or clerk-developed data sharing models, although few stakeholders had developed jointly-developed architectures.

involved, (3) indicate the processes and information that are shared among court system stakeholders, the information that is shared, and (4) indicate the business process fit in the end-to-end functionality to be provided by the integrated computer system. This information is needed to develop the system architecture (single system or multiple systems), data standards, and exchange mechanisms that are required to ensure end-to-end processing of electronically filed court documents. The business model and system architecture also are critical for identifying the level of organizational change that will be necessary to implement e-filing and ensure that local business processes are well-supported and not disrupted for any of the court-related stakeholders.

In 2002, OSCA developed functional process diagrams that resulted in a functional requirements document for the Florida Supreme Court.[17] While this document was incorporated by reference in Supreme Court AOSC03-16 in 2003, its connection with the integrated computer system was never firmly established. In addition, as indicated earlier in this report, compliance with this administrative order has been inconsistent, with no apparent consequences for noncompliance.

6. Uniform standards needed to implement the integrated computer system cannot be established until the business processes represented by the terms "case management" and "case maintenance" have been defined.

Previous efforts to define and differentiate case management vs. case maintenance produced a comprehensive analysis of the administrative and process support needs of the trial courts.[18] However, this work has not been used to produce the needed process definitions and requirements for the integrated computer system. The FCTC recently indicated "divided responsibility for case maintenance (the clerks of court) and case management (the court) remains the biggest obstacle to integration."[19]

TRW found the major impediments to the integrated computer system to be related to (1) the ambiguous (or non-existent) definition of the terms, e.g., case and docketing, (2) lack of formal policies and structures needed to address mutual needs of the clerks and the courts, e.g., timely access to a complete case file, and (3) the lack of agreement between the clerks and the courts regarding the content and method for providing and exchanging needed information, which has resulted in some clerks providing entire copies of large system databases to the court instead of agreeing to requirements and building effective integrated solutions that leverage existing clerk and judicial technology and resources.

"Case maintenance" functions are not defined in law and are subject to local circuit and county interpretations. The statutory definition of "case management" in s. 29.004(10), F.S.,[20] is very broad because functions such as case processing and caseload

[17] **Functional Requirements Document**, Trial Courts Needs Assessment Project, Supreme Court of Florida, Office of the State Courts Administrator, 6 October 2002.

[18] Report **on the Findings and Agreements of the Joint Trial Court/ Office of the State Courts Administrator/ Florida Clerks of Court Joint Workgroup on Functions and Duties**, 2003.

[19] Letter from Judge Judith L. Kreeger, Chair of the FCTC, January 14, 2010.

[20] Case management includes: (a) Initial review and evaluation of cases, including assignment of cases to court divisions or dockets; (b) Case monitoring, tracking, and coordination; (c) Scheduling of judicial events; and

management can vary with the role being performed. For example, the activities required to process a case in the state attorney's office (e.g., investigations, depositions, fillings) differ from those required for a judge to process a case (e.g., hearing, trial, final disposition), which also differ from the activities required for a clerk to process a case (e.g., receipt, quality assurance, collection).

Many of the systems that are considered "case maintenance" systems currently support one or more case management functions. In several counties / circuits the same commercial application system is known as either a case management or a case maintenance system, depending on whether the clerk or the court took ownership of the implementation. This also suggests the dichotomy between case management and case maintenance may not be the root cause of the problem because very similar commercial technology solutions have been provided to meet both process needs. Regardless of the specific terms used to identify these two business functions, the business processes represented require definition to facilitate the communication necessary to implement the integrated computer system.

In its most recent study,[21] OPPAGA found little duplication in court-related duties and the need for more cooperation between the courts and the clerks. TRW also found little business process duplication; however, the court-related systems provided by the clerk and court technology teams do, in fact, duplicate the data and some parts of business processes that are shared between the courts and the clerks. Until the clerks and courts agree on the specific system requirements for "case maintenance" and "case management" and this agreement is captured in a policy established in law, disagreement and duplication of court system functionality will likely continue.

7. The state court system has not identified statewide systems of record for one or more functions in each court division.

A **system of record** is a computer system that is the authoritative data source for a given business process, data element, or piece of information. Establishing a system of record involves identifying corresponding usage and compliance requirements needed to maintain and operate it, e.g., who manages it, who operates it (service provider), how should it be used, and who pays for it? When effectively established, a system of record prevents unnecessary duplication of investment, information, technology, and workload.

A system of record can be established as a single system or as a system containing other systems that combine to be the authoritative source of data for the courts. By not specifying systems of record, the local county and circuit stakeholder have established significant numbers of duplicative systems that require a large number of connections, interfaces, and inefficient business processes, which serve to drive up costs and overhead associated with continuing to operate duplicative systems.

(d) Service referral, coordination, monitoring, and tracking for treatment-based drug court programs under s. 397.334. Case management may not include case intake and records management conducted by the clerk of court.

[21] **Little Duplication in Court-Related Services; Clerk/Court Cooperation Should Be Improved;** OPPAGA Report No. 10-11, January 2010

While the CCIS and JIS are both systems that have been deployed statewide, they lack the requirements definition and management structures and processes that are necessary for establishing systems of record. For example, CCIS has statutorily-established funding and participation requirements, but the usage and compliance requirements have not been documented or codified. JIS has been deployed throughout the judiciary, but is not authorized in statute and does not have documented usage and compliance requirements or a management and governance structure and process to manage workload and prioritize investment.

To establish the integrated computer system, the state needs to specifically determine and define what business functions need to be automated at the statewide level, and what systems and functional responsibilities need to be retained within circuits and counties. *There needs to be an explicit delineation between the functionality to be provided by the statewide integrated computer system versus functionality to be provided by local circuit and county systems to avoid unnecessary duplication and ensure local business needs are met.* Any implementation of statewide e-filing, case management and case maintenance business processes requires clear definition of responsibilities of the circuit courts and the clerks, particularly as they relate to the shared business processes that must be included in the integrated computer system for the courts.

Clear criteria for determining systems of record do not exist in law or court rule/ administrative order. Criteria should be based on business benefits relating to standard business functions supported by the system of record. Justification should be based on cost-benefit analysis and, if an existing system, the quality of functionality provided by the system. Emphasis should be placed on leveraging existing "best of breed" systems that already have been fielded by circuits, counties, or the state to avoid having to invest in unnecessary system development.

8. Current statute authorizing the additional $4 service charge fee does not include specific policy direction for funding the statewide integrated computer system established in s. 29.008(1)(f)(2), F.S.

As specified in the state constitution and Florida law, the funding of court-related technology for the various court stakeholders is a county responsibility. Chapter 29 enumerates the types of equipment and resources, including the integrated computer system, that are a part of the definition of court-related technology needs. The 2004 Legislature provided the counties and the clerks with a dedicated funding source (additional $4.00 service charge fee authorized in s. 28.24(12)(e), F.S.) for the court-related technology needs, including the integrated computer system identified in s. 29.008(1)(f)(2), F.S. However, this statute does not include any specific policy direction regarding how much of the revenue generated by the additional $4.00 service charge fee should be used to address local court-related technology needs versus the implementation of the statewide integrated computer system. It also does not provide policy direction to guide project prioritization, investment decisions and project implementation. Further, no compliance mechanisms are in place to ensure that any portion of the funding source is spent for the integrated computer system.

The Legislature directed a portion ($0.10) of the clerks' $2.00 (of the $4.00) service charge fee to be used exclusively for the development and ongoing operation of the CCIS. This has facilitated both the implementation of CCIS and the assurance that all clerks are participating. *No such dedicated funding source has been identified for the integrated computer system.* A clearly identified funding source is necessary to establish the integrated computer system, but the specific approach for determining such a source requires additional analysis and depends on legislative and state court system decisions related to policy, scope, functionality and governance. Additionally, such an approach would need to define the metrics to determine compliance, a timeline for achieving compliance, and an organizational structure that would be responsible and accountable for its implementation.

9. The decentralized funding decision-making structure for allocating the $2 service charge fee in s. 28.24(12)(e), F.S., presents challenges for some multi-county judicial circuits.

The list of items and activities to be funded with the service charge in s. 28.24(12)(e), F.S., provide neither a clear choice and funding rationale, nor specific implications of compliance (or noncompliance). This has resulted in the need for circuit- and county-level negotiations to define needs and set direction for court-related technology spending. These negotiations require cooperation between all parties, most notably the chief judges, state attorneys, public defenders, guardians ad litem, regional conflict counsels, and Boards of County Commissioners. Some multi-county circuits have cooperative arrangements between counties to pool their funds to enable circuit-wide projects; in other multi-county circuits, each circuit court stakeholder must request needed funds separately from each Board of County Commissioners. The latter model can be very time consuming in circuits with multiple counties, e.g., the 3rd, 8th, and 14th circuits.

The decentralized structure has resulted in significant differences in the effectiveness of technology solutions to support court operations and account for expenditure of the funds. The Supreme Court through the OSCA has authority over the state portion of the circuit court budgets; however, it is unclear how circuit- and county-level IT planning and budgeting decisions comply with the requirements of the Supreme Court Administrative Order (AOSC03-16). The Clerk of the Court Operations Commission (CCOC) has authority over a portion of the budgets of each county clerk; however, the standards and metrics relating to budget development and administration need to be adjusted. "Current measures are too broad to meaningfully assess the efficiency of court-related functions."[22]

10. In some counties there appears to be confusion regarding the purpose of the $2 service charge revenue and the court-related agencies eligible to receive a portion.

In all counties, the state trial courts, public defenders, and state attorneys receive an allocation of the $2 service charge revenue. The Court System User Survey indicated

[22] **Little Duplication in Court-Related Services; Clerk/Court Cooperation Should Be Improved;** OPPAGA Report No. 10-11, January 2010, p. 5

that no guardians ad litem or regional conflict counsels received any of the $2 service charge revenue to fund their court-related application systems for FY 2008-09. Some counties indicated that they pay for the guardians ad litem and the regional conflict counsels court-related technology costs from other county general revenue. At least one county stated per a county legal opinion, the guardian ad litem was no longer allowed to receive a portion of the $2 service charge revenue and was removed from the funding formula.

All guardians ad litem (except in Circuit 11) only reported GAL Tracker as the major system used to perform their work; this system is provided by the statewide Guardian Ad Litem and is funded with state general revenue. In interviews, the guardians ad litem reported using other systems, e.g., CCIS and local CJIS, but also indicated they do not pay for them.

The five Criminal Conflict and Civil Regional Counsels indicated only state general revenue was used to fund their application systems. The First District Court of Appeal ruled in July 2009 that the law creating the regional conflict counsels unconstitutionally shifts the funding responsibility for certain costs of court-appointed counsel from the state to the counties and that the state, not the counties, should pay for regional conflict counsels.

Some counties combine the $2 service charge revenue with other funds to pay for county IT services that include the courts, state attorneys, and public defenders. One county indicated that the $2 service charge revenue was considered the *only* funding source for court technology, and no other county funds were provided to address their needs.

11. Small rural counties have resource constraints that must be specifically addressed when planning the scope, approach, and implementation time frame for the integrated computer system for the courts.

(A similar finding was identified in the Senate 2004 Interim Report.) Both judges and clerks serving in small rural counties are required to assume a variety of roles because the lower volume of cases does not justify specialized staff and computer systems to address needs in specific court divisions. Most of the clerks in these counties have small staffs that must be cross-trained to be able to perform both court and non-court-related roles.

Approximately half of Florida's counties have a population of fewer than 100,000. In general, these counties have a small tax base and do not have the resources to develop sophisticated systems. For the most part, they have relied on the FACC to provide systems to meet their clerks' computer needs. When developing the approach and timeframe for implementation of the integrated computer system, consideration should be given to determining whether small counties should be required to pay for initial system acquisition or development or only for fair use of the ultimate system.

12. Florida is not significantly different from other states in its quest to embrace new court technologies, and does not seem to lag behind technology implementation in the other states included in TRW's research for this project.

Court technology is constantly changing and rapidly evolving. Systems that will be implemented in 2010 will likely be outmoded and need to be replaced in the next 5-10 years. Technology to support end-to-end business processes are not as mature for the courts and justice systems as for other industry sectors, e.g., manufacturing or banking. Refinement of technology use is limited by budgetary, timing, and policy constraints. The recent economic downturn appears to have spurred states' desire to begin to realize the potential of current technologies in court-related processes.

The necessity for lower cost solutions has encouraged third-party providers to offer "free services" to fill in some gaps, e.g., wireless internet services at several courthouses. It also has promoted alternatives to the traditional commercial software purchase or custom development contracts that require significant upfront investment. Software as a Service (SaaS) is a model whereby a service provider licenses an application to specific customers for use when they need it. The five district Criminal Conflict & Civil Regional Counsels, created by the Legislature in 2007, employ this model; the vendor hosts the application on its own server hardware and provides all backup and maintenance support for the system, requiring no server hardware investment by the district offices. The conflict counsels pay $1.50 for each file opened in the system. Annual software costs for the 1st District Office were less than $25,000 in 2009.

13. Of the 14 other states reviewed, no state had a system that is comparable to the integrated computer system and its required functionality as established in s. 29.008(1)(f)(2), F.S.

The majority of the 14 states have integrated criminal justice information systems with similar stakeholders, system governance structures, and data sources as Florida's Criminal and Juvenile Justice Information Systems, its Council and the Criminal Justice Network established in ss. 943.06 and 943.08, F.S. These systems did not have functionality to produce performance accountability data, auditing data, operations and management information. *(See Appendix A for a complete summary the systems in all 14 states.)*

14. While several court stakeholders commended the systems of the federal court system, these systems do not provide all of the functionality identified in s. 29.008(1)(f)(2), F.S.

The federal court system has a Case Management/Electronic Case Files System (CM/ECF) and a Court Electronic Docket system. The CM/ECF system allows courts to maintain case documents in electronic format and enables each court to permit case documents (e.g., pleadings, motions, and petitions) to be filed with the court over the Internet. The Court Electronic Docket system is used for case tracking and contains information about cases, both pending and decided. Electronic access to court data is available through the PACER program.

These systems do not support many of the functions identified in s. 29.008(1)(f)(2), F.S., relating to the integrated computer system for the Florida courts. For example, the systems do not provide for reporting of data for transmission of revenue, performance accountability, budgeting, or auditing. They also do not accommodate sentencing scoresheets or video evidence.

Implementation Options

The law requires TRW to develop a proposed plan with options and approaches for implementing the integrated computer system for the state courts. The analysis of options involves high-level discussion of related work; business process, technical and policy change; and cost. This section will (1) identify and describe each of these three analysis factors, (2) describe three options for implementing the integrated computer system, (3) discuss the possible implications of each option, and (4) compare the options using the analysis factors (see Table 19). The potential implications associated with each option cannot be determined conclusively until the gaps relating to the integrated computer system scope, requirements specifications, cost, and implementation have been addressed.

Regardless of the implementation option(s) selected, it is recommended that the Legislature address the policy issues noted elsewhere in this study. The following major policy areas represent the significant decisions that must be made*:*

(1) Identification of the business objectives and scope of the integrated computer system.
(2) Establishment of an effective and appropriately staffed governance structure for the integrated computer system.
(3) Designation of statewide systems of record for business functions to be provided by the integrated computer system.
(4) Identification of resources with appropriate knowledge and expertise to staff the project team(s) and any necessary workgroups to plan, manage, and execute the project.
(5) Development of policy to establish a directed funding source for planning, developing, implementing, and managing the integrated computer system.

These items represent some of the initial work that must be done to implement the integrated computer system for the state court system. The type and degree of effort and change associated with these steps will vary, depending on the option or combination of options selected.
It also is important to recognize the importance of the state court system stakeholders, specifically the clerks and the judges, in developing the necessary rules, administrative orders, standards, and policies required for successful implementation.

Analysis factors

Work describes the types of tasks and outputs that would be required to implement and maintain the system(s) associated with each option. Project tasks include business and technology planning, developing the project structure, assignment of roles and responsibilities, producing quality deliverables, and managing project teams and all the tasks/ deliverables necessary to achieve the benefits of each option. Typical system integration tasks include defining and prioritizing requirements; developing the functional and technical design; capacity planning; configuration and coding; unit, system, integration and user acceptance testing; training; and rollout and implementation.

As with any large-scale enterprise IT initiative, required deliverables include: a strategic plan, business process model, business process and technology architecture, requirements specification, fit-gap analysis, and a feasibility study, which includes an appropriate business case and reliable cost-benefit analysis. A project plan also would be required to lay out the tasks (work breakdown structure), timeline and budget for the project as well as strategies for

communicating and managing the organizational and related business process and technology changes discussed below. The project plan would be used to control project activities, measure and monitor progress toward project completion, and assess risks and develop appropriate risk management or risk mitigation strategies.

The actual amount of work associated with each option ultimately will be determined by the decisions made or not made by the Legislature regarding the scope of the integrated computer system (see Finding #3). The analysis in Table 19 provides a high level comparison of the differences in work related to feasibility analysis, project management, business process reengineering, and technical work that would be required for each option.

The **change** discussion addresses the type of technology, business process, and organizational changes that would be required to effectively implement each option. *Critical factors considered in assessing the level of change required for each option include (1) the current number, diversity, and complexity of current systems; (2) the culture and organization of the judicial branch; (3) the degree to which policies are established in law or in rules of procedure to standardize court-related business processes; and (4) the level of risk that must be assessed and managed.* Successful organizational change will require a clear policy framework that articulates the vision for change, creates incentives for supporting it, and crafts a project structure and work plan that ensures that all stakeholders of the state court system are included.

The type and level of change cannot be precisely estimated until the business objectives and scope of the project have been clearly stated. However, given the level of diversity in the statewide environment, the change factor must be carefully considered to avoid unnecessary cost or disruption in court and clerk operations.

Finally, the discussion of **costs** typically would include estimates of planning, implementation, and operation and maintenance costs. Whenever possible, actual figures reported by current service providers should be used to derive cost estimates. Cost estimates must include resources to accomplish not only the technical development and implementation of the system but also the necessary organizational and business process changes and training that must happen for successful implementation. Current IT and business process staff from the trial courts and the clerks would be needed to do the work and implement the project; however, depending on the scope of the integrated computer system established in statute, system integrator or consultant resources also may be required.

A reliable estimate of project costs requires a clear understanding of (1) the scope of the project, (2) the work that will need to be accomplished in the project, and (3) the expected time period for the project. As indicated above, the scope and work associated with implementing the integrated computer system are unclear and could vary widely, depending on the policy direction and option(s) adopted by the Legislature. Therefore, the cost discussion in this report will focus on the suggested approach for estimating and understanding costs to enable informed decisions regarding potential versus necessary investments in the integrated computer system.

The decisions regarding business processes to be included in the functionality of the integrated computer system should be based on sound analysis of both the costs and the associated business

benefits. This involves identifying the status quo costs (system and operational costs), proposed project benefits (tangible changes in system or operational costs and intangible project benefits to be received by the court stakeholders and the public), and planned project costs. Planned funding sources should be identified, and a clearly documented plan to ensure realization of the expected benefits also should be developed.

The following implementation options are provided for consideration:

1. **Statewide Data Sharing System –** provides the data sharing functions currently required in the integrated computer system established in s. 29.008(1) (f) (2), F.S., including data sharing networks.

   The current CCIS and JIS were developed, in part, to implement and enable statewide data sharing, and are examples of potential systems of record. CCIS is a data warehouse containing case information downloaded nightly from each of the 67 clerks' systems. It is used to access and query statewide case information. JIS is a query look-up system that was primarily designed to obtain positive identification at first appearance. Table 18 contains all of the gaps in functionality for these systems that were identified in the Court System User Survey. This should not be considered a definitive list of system needs or requirements for data sharing; however, they do provide a glimpse into some of the deficiencies that would need to be addressed to implement this option.

TABLE 18: Major Gaps, Issues, or Missing Functionality from Court System User Survey

System	Gap	Respondent
CCIS	Not updated quickly enough; no juvenile, Baker Act, or mental health data available	Court
	Unable to pull comprehensive information across all divisions to connect related cases; needs to be able to associate individuals even if a DOB is not provided	Court
JIS	Performance reports are not available; system is slow and cumbersome	Court
	Very cumbersome and time consuming for staff to access needed information	Public Defender
	Need to provide additional access to other departments' information	Court

Potential implications of the Statewide Data Sharing Option:
Addressing court data and information needs using a data sharing option does not substantially reduce the need for other state and local systems required to support state court system business functions and processes.

Similarly, because this option does not establish uniform business processes within a common integrated computer system as described in Option 2, the state's judicial circuits, clerks, and county governments will be faced with having to continue to establish new systems to support operations. For this reason, the bulk of resources and expenditures will continue to remain with the county and circuit system teams.

2. **Statewide integrated computer system (multiple systems option)** – connects designated state, circuit, or county systems of record for specified court processes to establish the statewide integrated computer system to support uniform business processes within court divisions over time. This option includes necessary business process reengineering and policy changes to be established by the court system and the Legislature. Minimally, judges, clerks, and the Legislature would have to: (1) agree on the specific court functions and business processes that need to be uniform in all court divisions across the state, (2) define requirements to identify systems of record that will be newly established or modified to support these functions, and (3) participate in the governance mechanism to control and approve necessary changes in the systems of record and associated business processes for the integrated computer system.

   This is the apparent model being used to implement the current e-filing initiative. The central portal would be the statewide system of record for e-filing, i.e., all electronically filed documents would be received through this portal. Each circuit would identify and designate the system(s) of record to receive the electronic files from the portal. Opportunities for reducing unnecessary duplicative "receiving systems" would need to be considered in the implementation planning to minimize corresponding cost and overhead.

   Potential implications of the multiple systems option:
   The level of business process, policy, and technology change required by this option is substantial but the degree of potential benefit to be obtained also is substantial. Many of the potential benefits would relate to the establishment of uniform business processes and reduction of manual, paper-intensive processes and routine processes through effective automation beginning with electronic case filing. However, it also is critical that the efficiencies and economies of scale provided by uniform statewide systems and processes be balanced with the need for local differences in processes and procedures necessary to maintain local clerk and court operations.

   This option would leverage the substantial sunk costs that already have been invested in current court case management and case maintenance systems in the state. In the short-run, current ongoing systems operations and maintenance costs would continue; however, these costs would be expected to decrease in the long run as systems that duplicate the functionality provided by the systems of record contained in the integrated computer system are identified in the planning process and decommissioned after statewide implementation.

   Addressing court business needs through implementation of this option would represent a substantial departure from the current decentralized decision-making and funding structures for stakeholders of the state court system. This option is viable only if the necessary policy framework and governance structure is established and dedicated resources are made available to perform the significant planning, design, and implementation tasks that are required for successful implementation. Even with these changes, successful implementation of this option also will require long-term commitment from the Legislature and the Supreme Court and substantially improved

cooperation among the court stakeholders to address responsibility and span of control issues that have hampered these efforts in the past.

3. **Statewide integrated computer system (single system option) –** provides a single integrated system built in parts over time to support uniform statewide court processes. The primary difference between this option and the preceding option is that it replaces local systems with functionality housed in a single, statewide system over an extended time period rather than identifying certain local systems to be a permanent part of the statewide system.

   Although the specific requirements for such a system have not yet been defined, the information received in conducting this study indicates that this system could not be implemented in less than 5-10 years if the extensive case management, case maintenance, electronic filing functionality, and significant business process reengineering described by many stakeholders remains in scope. The degree of business process and technology diversity is too large when considering all 67 counties and 20 judicial circuits. Additionally, because neither the federal judiciary nor other states researched appear to have fielded comparable systems, Florida would need to be willing to assume the financial and operational risk associated with this approach before moving forward.

   Potential implications of the single system option: Although appropriate for further analysis, this option may represent too much risk for the state to assume, given the current number of court business processes (in all court divisions) that would need to be reengineered and standardized. Technology constraints associated with evolving custom and commercial off-the-shelf software products also must be considered.

   As articulated by the federal judiciary, the use of technology to make the courts more transparent, consistent, and efficient must be balanced with the need to preserve the individual judge's discretion, the confidentiality of chambers and court information, the dignity of the court system as a constitutional institution, and the related due process rights of our citizens.[23]

The **status quo** continues the decentralized and minimally coordinated automation of non-standardized court processes. While the status quo cannot be considered an implementation option for the integrated computer system, our analysis indicates that local county and circuit organizations have moved to adopt new technologies in order to solve their business problems as time and resources permit.

TRW observed that many changes in court policies, business processes and technology already have been made in local circuits and counties and are likely to continue to occur regardless of whether the Legislature adopts any of the implementation options. In the absence of statewide policy, many counties and circuits have been successfully working, through various means, toward automation of specific court-related processes, e.g., e-filing, docket management, court

[23] ***Long Range Plan for Information Technology in the Federal Judiciary***, FY 2009, (http://www.uscourts.gov/Information_Technology/Long_Range_Plan_2009/Long_Range_Plan_2009.cfm).

scheduling, and case maintenance. Increased workloads, reductions in budgets, availability of grant money, and gradual exposure to and adoption of computer technology provide the underlying basis for these implementations.

Potential implications of the status quo: Although continuing the status quo may incur additional costs because of the lack of defined purpose and vision associated with the integrated computer system, many of the same court system applications and business processes that would be replaced or modified under the options presented, would eventually be adopted and replaced in the status quo environment, but probably at a slower rate (e.g., next 10-20 years) and a larger cost.

An additional significant concern with maintaining the status quo involves the lack of circuit level coordination between the judges and the clerks in counties and circuits that do not have an effective governance structure to make decisions regarding joint system needs and to manage shared investments in their systems. As captured in the surveys and observed during our field work, these situations can result in very inefficient use of taxpayer resources, e.g., fielding multi-million dollar custom developed or off-the-shelf systems with missing or incorrect business requirements. This also can result in continuation of ineffective business processes, e.g., handling too many paper-based filings and cases.

The status quo also does not offer a formal mechanism to address the many small, rural counties and circuits that do not possess the resources necessary to individually develop/implement their own systems for the foreseeable future.

Table 19 provides a high-level summary of the analysis factors, i.e., work effort, level of change, and costs, associated for each implementation option. This summary does not represent a definitive identification of all factors and their corresponding issues; such identification is contingent upon the specific scope and functionality of the integrated computer system to be determined by the Legislature.

TABLE 19: Cost, Work, Change – Relative Comparison				
Factor	**Option 1** **Integrated Computer System (Data Sharing Option)**	**Option 2** **Integrated Computer System (Multiple System Option)**	**Option 3** **Integrated Computer System (Single System Option)**	**Status Quo** **State Court System**
Work Effort				
Governance Structure and Process	Moderate planning and governance requirement	Moderate to high complexity governance requirement	Moderate to very high governance requirement (depends on scope & requirements)	Consider establishing circuit-level governance
Feasibility Analysis	Required to identify and justify systems of record	Required to justify the court functions and business processes to be uniform and part of the systems of record in the integrated computer system		As determined by county and circuit elected officials and subject to applicable judicial rules or administrative orders
Project Planning and Management	Project management needed to establish statewide data sharing architecture and infrastructure, maintain data element and interface catalogs, and establish and maintain data warehouse and distributed search tools	Statewide and circuit project planning and management needed to establish uniform business processes /BPR; significant complexity associated with replacing county and circuit systems with multiple systems of record	Implement statewide and circuit project planning and management; significant complexity associated with replacing county and circuit systems with single statewide system; establish uniform business processes/ BPR	As determined by county and circuit elected officials and subject to applicable judicial rules or administrative orders
Business Process Reengineering (BPR)	Minimal BPR	High level of BPR for each statewide system/ court division over time; some BPR may be required for circuit level systems of record	Very high level of BPR planning needed to scope the single system	As determined by county and circuit elected officials and subject to applicable judicial rules or administrative orders
Technology	Moderate level of technical complexity to establish efficient statewide data sharing architecture & infrastructure, data warehouse, and distributed search tools	High level of technical complexity to develop statewide technical architecture for multiple systems of record	Very high level of technical complexity to define an effective architecture for a single statewide system (possibly in parts) over 5-10 years; need to migrate 921 systems to a single system	As determined by county and circuit elected officials and subject to applicable judicial rules or administrative orders
Level of Change				
Business Process Change	Minimal level of business process change	High level of business process change – Adopting and implementing standardized front and back office state court business processes in current decentralized environment		As determined by county and circuit elected officials and subject to applicable judicial rules or administrative orders
Organizational Change	Establish statewide data sharing governance structure	High level of change – establish statewide and circuit level	Very high level of change – establish statewide and circuit level	As determined by county and circuit elected officials and

TABLE 19: Cost, Work, Change – Relative Comparison				
Factor	**Option 1** **Integrated Computer System (Data Sharing Option)**	**Option 2** **Integrated Computer System (Multiple System Option)**	**Option 3** **Integrated Computer System (Single System Option)**	**Status Quo** **State Court System**
		governance structures to coordinate **systems of record**; determine circuit or county systems that must be replaced or modified	governance structures to coordinate statewide system and business processes changes; determine circuit or county systems and processes that must be modified or replaced	subject to applicable judicial rules or administrative orders
Technology Change	Moderate technology change to address current deficiencies – lack of standards, redundant data sharing systems and interfaces, unnecessary duplication	High level of technology change as each new system of record is established	Very high level of technology change to migrate to single centralized system	As determined by county and circuit elected officials and subject to applicable judicial rules or administrative orders
Cost Comparison				
Staff	Current investment level	Potential need for backfill for business experts (Unclear if current investment adequate because scope and feasibility analysis not determined)		Current investment & planned costs (source TRW survey)
Consultant – Project Management, BPR , Organizational Change	Project management - hourly rate or fixed price; (scope not yet determined)	High level of cost; scope not yet determined; multiple 1-3 year projects for each statewide system of record established (scope not yet determined)	Very high level of cost for 5+ year project and expertise to implement business process analysis and plan/ manage changes (scope not yet determined)	Current investment & planned costs (source TRW Survey)
Consultant – Technology and System Integration	Lower level of cost – in-house expertise for CCIS and JIS; limited consultant assistance	High level of cost for technical architecture expertise	Very high level of cost to develop a single system (scope/ functionality not yet determined)	Current investment & planned costs (source TRW Survey)
Software	Unknown (scope/ functionality not yet determined)	Unknown (scope/ functionality not yet determined)	Unknown (scope/ functionality not yet determined)	Current investment & planned costs (source TRW Survey)
Hardware	Unknown	Need for new hardware infrastructure not yet determined	New hardware infrastructure required for single system	Current investment & planned costs (source TRW Survey)
Major Risk Areas	Moderate level of project risk; high risk of not obtaining benefits associated with establishment of uniform court	Moderate to very high level of project risk; complex but manageable risk if identified, properly planned, and managed as	Very high level of project risk due to business process and technical complexity, level of business / technology change, and length of	Low level of project risk; high level of risk for not obtaining desired uniform court process efficiencies; high level of risk

TABLE 19: Cost, Work, Change – Relative Comparison				
Factor	**Option 1** **Integrated Computer System (Data Sharing Option)**	**Option 2** **Integrated Computer System (Multiple System Option)**	**Option 3** **Integrated Computer System (Single System Option)**	**Status Quo** **State Court System**
	process efficiencies and reduction / elimination of unnecessary system investments	separate projects; moderate level of risk for obtaining limited uniformity of court processes if not carefully planned; moderate level of risk for achieving only limited reduction / elimination of duplicative systems and corresponding investments	project; investment would likely cost more and take longer than any single project to establish a new system of record in Option 2	that duplicative systems and corresponding investments maintained

Recommendations

The following recommendations are necessary if the Legislature decides to move forward with either option or any combination of options identified in the previous section. The work associated with the recommendations will vary based on the option selected.

1. ***A comprehensive policy identifying the main business objectives, scope and required functionality of the integrated computer system, and related responsibilities of state court system stakeholders should be established in law.***

   The comprehensive policy is needed to clearly establish the state's direction for the integrated computer system and enable the state court system stakeholders to work effectively on a common purpose. The policy needs to minimally define:

   a. Court-related business functions and processes that are a part of the integrated computer system, e.g., e-filing.
   b. A consistent process for determining how new business functions and processes can be proposed for inclusion in the integrated computer system.
   c. Criteria and processes for determining whether systems duplicating a business function or process of the integrated computer system should be allowed or disallowed at the county and circuit levels.
   d. Clear definition of the scope of functionality to be provided (and not provided) by the integrated computer system and the circuit and county systems.
   e. Formal s*ystems of record* and service providers for applications comprising the integrated computer system; their corresponding usage requirements, compliance requirements and consequences for non-compliance; funding and management requirements; and a process for establishing new system of record.
   f. Technology solutions for small, rural counties that lack resources to field such systems on their own.
   g. A realistic approach and timeframe for establishing the integrated computer system.

2. ***A permanent state- and circuit-level governance structure should be established in law to provide needed policy and operational decision-making authority and coordination of court technology related to the integrated computer system.***

   As described in the 2004 Senate *Interim Study on the Implementation of an Integrated Computer System for the State Court System*,[24] such a structure is necessary to ensure that state and local government needs are met in an efficient, pragmatic, and cost-effective manner.

   The governance structure is necessary to make decisions that in many cases are not made today because of incomplete policy direction, constitutional or statutory limitations, financial constraints, or disagreements over funding or responsibilities. The governance structure must specify decision-making authority for policy, investment, business applications, architecture, and infrastructure decisions in the planning, implementation, and operation of the integrated computer system. Responsibilities of state-, circuit-, and county-level officials in this governance structure also must be clearly defined.

[24] **Implementation of an Integrated Computer System for the State Court System**, *Report Number 2004-104,* published by the Florida Senate Appropriations Subcommittee on Article V Implementation and Judiciary in December 2003.

The basic governance structure for the integrated computer system should be established in statute and should include a State Court Technology Board and a Circuit Technology Steering Committee in each judicial circuit. Although specific responsibilities of these entities will depend on the implementation option(s) selected by the Legislature, overall responsibilities include those required to successfully plan for, implement, manage, and operate the integrated computer system. Specific recommendations for responsibilities are as follows:

State Court Technology Board - This statewide structure should be established in the judicial branch and include balanced representation from the state court system stakeholder groups, e.g., judges and court administrators, clerks and deputy clerks, public defenders, state attorneys, guardians ad litem, and criminal conflict and civil regional counsels. The board should have an equal number of clerk and judicial representatives; members should serve two year terms and be eligible for reappointment. Options for determining board membership include appointment by the Supreme Court or by their respective statewide professional associations. All board action should be taken by majority vote.

Two potential options for board leadership are provided for consideration: (1) the chair (a chief circuit judge) and vice-chair (a clerk of court) may be appointed by the Supreme Court; or (2) the chair and vice-chair may be elected by a majority of the board members, one must be a clerk and one must be a chief circuit judge. The chair and vice-chair must serve overlapping two-year terms.

The statute should identify membership of the board along with its specific scope and its decision-making responsibilities. For example, it should be responsible for making all necessary statewide decisions related to policy, investment, business applications, architecture and infrastructure of the integrated computer system consistent with statute, administrative order, and rules adopted by the Florida Supreme Court.

Depending on the scope of the integrated computer system, the recommended permanent responsibilities of the State Court Technology Board could include:

a) Developing and updating, as necessary, a strategic plan that identifies an appropriate sequence for implementing the integrated computer system within all divisions of the state court system over a specified and reasonable time frame.
b) Developing necessary business and technology analyses required to justify proposed business functions/ processes for inclusion in the integrated computer system. This shall include identification of those specific court functions and business processes that should be uniform and part of the integrated computer system versus those functions/ processes that should be addressed at the circuit or county level.
c) Identifying and proposing statewide systems to be formally established in law as the official system(s) of record for their stated purpose(s); identifying the proposed scope and functionality of these systems; determining the system(s)' service provider(s); establishing usage and compliance requirements, and consequences of non-compliance. Definition of the functionality that will and will not be provided by the integrated computer system should be developed initially in the form of a recommendation to the Legislature.

d) Planning and managing the implementation of any systems of record or functionality to be provided by the integrated computer system, including identifying, developing, approving and implementing the necessary policy, business process and technology standards consistent with policies established by the Legislature and the Supreme Court to successfully implement the integrated computer system.

e) Approving or disapproving circuit- and county-level systems to be a part of the integrated computer system consistent with policy established in law.

f) Approving proposals for new integrated computer system projects, upgrades, enhancements, or replacement projects consistent with legislative policy established in law *or* seeking approval of the Supreme Court and the Legislature if their review and approval is required.

g) Identifying systems that should be decommissioned and a timeframe for their mandatory decommission because they duplicate or hinder the efficient implementation of the integrated computer system.

h) Making funding and budgeting decisions that are consistent with legislative policies defining the planning, implementation, and management responsibilities for the integrated computer system.

i) Developing approaches for identifying and replacing outdated business processes and policies, reducing the need for paper to be supplied or handled in the state court system, and improving the efficiency and effectiveness of court and clerk operations.

j) Overseeing the planning and implementation activities of the Circuit Technology Steering Committees to ensure that the objectives of the integrated computer system are achieved, including resolution of problems brought forwarded by the Circuit Technology Steering Committees.

k) Establishing temporary or permanent workgroups or committees comprised of members from all or a subset of court stakeholder groups, e.g., clerks, court, public defender, state attorneys, guardians ad litem, criminal conflict and civil regional counsels, and The Florida Bar, as necessary to address specific topics and issues relating to the integrated computer system.

l) Chartering and establishing project teams charged with performing project activities to plan, implement, and operate the integrated computer system, including (1) planning and managing approved IT projects related to the integrated computer system, (2) performing fit-gap analyses and feasibility assessments, and (3) developing business process, policy, and technology standards needed.

m) Managing the operation of the integrated computer system and its service provider(s), including prioritizing major system enhancements and modifications.

n) Determining how small, rural county technology needs will be addressed through the integrated computer system.

Circuit Technology Steering Committee - It is recommended that this structure be statutorily established in each judicial circuit and include representatives of judges and court administrators, clerks and deputy clerks, Boards of County Commissioners, public defenders, state attorneys, guardians ad litem, and criminal conflict and civil regional counsels. The circuit steering committees should have an equal numbers of clerk and judicial

representatives. The chair should be the chief judge of the circuit. The vice chair should be a clerk from one of the counties in the judicial circuit, elected by majority vote, or in the case of circuits with only one county, the clerk shall be the vice chair of the committee. All committee action should be taken by majority vote.

The span of control for this committee would be limited to a single judicial circuit. Each committee would serve as the point of coordination and collaboration for the circuit on the local court-related technology needs of the stakeholders.

Statute also should identify membership of the circuit steering committees along with the committees' specific scope and advisory and decision-making responsibilities. The recommended permanent responsibilities of each Circuit Technology Steering Committee shall include:

a) Coordinating the ongoing operation of court-related technology systems needed to meet the business requirements of the judicial circuit; reducing unnecessary cost or improving efficiency of clerk and court operations, which includes but is not limited to implementing uniform processes related to the integrated computer system; and reducing or eliminating unnecessarily duplicative circuit application systems or infrastructure.
b) Establishing temporary or permanent circuit level workgroups, committees, or project teams utilizing circuit-level resources to carry out its statutory responsibilities.
c) Taking the appropriate actions necessary to carry out the implementation and operation of the integrated computer system as directed by the State Court Technology Board or required by state law or the Supreme Court. This includes, but is not limited to:
    - Performing project planning / management, status reporting, and risk mitigation responsibilities.
    - Developing required transition plans.
    - Conducting feasibility and cost benefit analyses.
d) Identifying any major integrated computer system modifications, enhancements, and replacement requirements and opportunities that should be recommended to the State Court Technology Board based upon the committees' evaluation of business need and priority.
e) Facilitating the resolution of circuit level technology and related business process and policy problems relating to the integrated computer system, and forwarding the problems to the State Court Technology Board when state they impact the implementation, operation or usage of the integrated computer system.
f) As requested by the State Court Technology Board, preparing budget requests and project planning documentation *consistent with* the requirements of the trial court budget commission and the CCOC and the statutory requirements for the integrated computer system.

Please note that if no implementation option is selected, it is recommended that the Legislature consider enacting specific statutory policy to establish the Circuit Technology Steering Committees to address the coordination and collaboration needs and decision-making responsibilities for the circuit court-related technology needs and issues.

3. ***The Legislature should require the State Court Technology Board to develop and submit specific recommendations that identify the initial systems of record comprising the integrated computer system.***

   Many of the duplicative court-related technology systems provide information to the state court system stakeholders. Establishing statewide systems of record in law would provide necessary policy stating their purpose, specifying their usage and compliance requirements, and identifying the management structure that would be responsible for making decisions on major modifications, enhancement, and overall operation of the system.

   If such systems of record were identified and statutorily established, over time, state and county governments would reduce the need for each stakeholder to field its own systems for functions included in the integrated computer system. This would eliminate unnecessary technology duplication and reduce required court-related technology investment.

   As a result of the information gathered through user surveys and site visits, several examples of state-, circuit-, or county-level systems that could be considered candidates for becoming systems of record for the integrated computer system were identified. At the state level, the CCIS established in s. 28.24(12)(3), F.S., and the CLERICUS system developed and operated by the FACC; the JIS developed and operated by the OSCA; and the GAL Tracker developed and operated by the Statewide Guardian Ad Litem Office are examples of systems with agreed-upon functionality and use that could be considered systems of records. Additionally, the 11th Judicial Circuit (Miami Dade) and its SPIRIT/TIS system and the 17th Judicial Circuit's automated system for scheduling court time are examples of circuit and/or county systems that may also warrant consideration as potential systems of record.

   Recommendations for systems of record should be justified with reliable feasibility, business case, cost-benefit analysis, and necessary project plans.

4. ***The Legislature should conduct further analysis of potential options for establishing a funding source to be used exclusively for the planning, development, and operation of the integrated computer system, including the option to redirect a portion of the funds in s. 28.24(12)(e), F.S.***

   To plan for, implement, manage, and operate the integrated computer, the Legislature will need to re-address how it will be funded. While the local, decentralized funding decision-making structure is appropriate for funding the local court-related technology needs for the various court system stakeholders, absent specific policy direction, it has not been an effective structure for the implementation of a statewide integrated computer system.

   At least two options should be further reviewed and analyzed as potential funding sources for the planning, development, and operation of the integrated computer system**:**

   1. Modifications to how the additional service charge revenue authorized in s. 28.24(12)(e), F.S., is allocated and distributed.
   2. Modifications to the authorized use(s) of the additional service charge revenue authorized in s. 28.24(12)(e), F.S.

The TRW recommends that the Legislature consider a further review and analysis be conducted to determine the viability of either one of these two options and any other options that the Legislature may require (Please see *Additional Research and Work Areas* section).

5. ***The Legislature should require the State Court Technology Board to develop recommendations for statutorily defining case management and case maintenance functions in law and clearly defining responsibilities of the clerks and the courts in supporting these functions.***

   A major finding of this report is that while previous work efforts to define and differentiate case management from case maintenance functions produced a comprehensive analysis of the administrative and process support needs of the trial courts, this work has not been used to produce the definitions and requirements needed for the integrated computer system. The TRW found that one of the major impediments to system integration has been the ambiguous or non-existent definition of terms such as case management and case maintenance and the lack of operationalizing these terms through a formal policy mechanism. This includes clearly defining what a "case" is and doing that consistently for all court stakeholders, including the state attorneys. (See Finding #6 for additional information.)

   The State Court Technology Board should be tasked with convening the appropriate workgroup comprised of judges, clerks, state attorneys, public defenders, guardians ad litem, and the criminal conflict and civil regional counsels to make recommendations to the Legislature regarding the differentiation and clear definition of these two terms. Specifically, the workgroup should delineate the functions and activities or tasks associated with case management and case maintenance and identify any instances where potential overlap and/or duplication may exist. The State Court Technology Board shall utilize the recommendations of the workgroup to facilitate its work in determining the scope, functionality, and business processes and data standards of the integrated computer system.

6. ***Require the state Criminal and Juvenile Justice Information Systems (CJJIS) Council, to develop specific, actionable recommendations for implementing a uniform statute table with adequate detail to address current deficiencies.***

   While this recommendation does not directly relate to the scope of this study, it was a problem that numerous court stakeholders identified as adversely impacting the efficiency and effectiveness of their operations.

   Court stakeholders reported that the current uniform statute table maintained by FDLE is used primarily for reporting purposes, and does not meet the operational needs of the criminal justice community. The problem relates to the fact that the current uniform statute table maintained by FDLE does not contain the level of detail required for complete and accurate charging by local law enforcement charging officers and booking centers and the state attorneys. The issue also affects the work of the public defenders, the clerks, and the courts.

   The CJJIS Council, established in s. 943.06, F.S., has the membership and authority to address and resolve this problem, which many state court system stakeholders cited during the study. This body has the responsibility of identifying, standardizing, sharing, and

coordinating criminal and juvenile justice data among state and local agencies. It specifically is required to make recommendations addressing (a) functional and information sharing standards, (b) accuracy, timeliness, and completeness of data, and (c) access to data and systems. Therefore, the CJJIS Council should develop recommendations for the Legislature describing how the business problems associated with maintaining multiple statute tables throughout the state could be resolved with a uniform standard table.

Additional Research and Work Areas

The size, scope, and complexity of implementing the integrated computer system on a statewide basis is substantial and should not be underestimated. Since the Governor signed CS/SB/1718 on May 27, 2009, the TRW has been challenged to survey the entire statewide environment and understand the many diverse systems, stakeholders, business processes, and related issues involved with implementing the integrated computer system for the state court system.

Because of this, the following additional potential areas requiring further analysis or support should be considered if the Legislature moves forward with any of the implementation options described in this study:

1. **Statutory review** – to determine, develop or refine statute needed to establish, implement, operate and maintain the integrated computer system.
2. **Analysis of funding stream** - to determine if / how the existing funding stream established in 28.24(12) (e) should be modified to support the establishment of the integrated computer system, and if necessary, develop options related to other funding sources.
3. **Approaches for staffing** – to determine viable approaches for staffing the activities of the State Court Technology Board and the Circuit Technology Steering Committees, and ensure effective utilization of existing judicial branch, clerk of court, and other resources.
4. **Establish governance structure** – to provide assistance to ensure effective establishment and operation of the new governance structures responsible for planning, managing, implementing, and operating the statewide integrated computer system.
5. **Statewide integrated computer system plan development** – to provide assistance with development of a statewide plan that defines a responsible strategy and sequence for establishing the integrated computer system in Florida.
6. **Conduct additional fit-gap analysis** – utilizing the large amount of user survey data collected during the 2009 interim project to determine specific case management and case maintenance business processes that are the best candidates for inclusion in the statewide integrated system based on sound business case and feasibility analysis.
7. **Integrated computer system and county and state appellate courts**– to determine the impact and role of the integrated computer system on county and state appellate courts, *e.g., analyze impact of electronic case filing initiative.*

Appendices

A. Other States Researched
B. Current State of Court Technology
C. Responses to Strategic/Policy Questions
    1. Florida Court Technology Commission (FCTC)
    2. Florida Association of Court Clerks (FACC)
D. Twelfth circuit – Status Report Electronic Filing and Access Pilot Project
    1. Letter from Judge Lee Haworth to Judge Judith Kreeger
    2. Letter from Karen E. Rushing, Sarasota County Clerk, to Judge Judith Kreeger
E. Court System Principal Surveys http://trw.state.fl.us/Survey.cfm
F. Court System User Surveys http://trw.state.fl.us/Survey.cfm
G. Court System Provider Surveys http://trw.state.fl.us/Survey.cfm
H. County Fiscal Survey http://trw.state.fl.us/Survey.cfm